

## HOUSE OF REPRESENTATIVES.

FRIDAY, June 13, 1902.

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

WILLIAM C. HICKOX.

Mr. SULLOWAY. Mr. Speaker, I call up the conference report on the bill (H. R. 4103) granting a pension to William C. Hickox, and I ask that the reading of the report be omitted, and the statement only be read.

The SPEAKER. Without objection, this course will be pursued.

There was no objection.

[The report will be found in the Senate proceedings of June 9.]

The Clerk read the statement, as follows:

The bill (H. R. 4103) granting a pension to William C. Hickox passed the House at \$24. The Senate amended the same by striking out \$24 and inserting \$12.

The result of the conference is that the House recedes from its disagreement to the amendment of the Senate, and agrees to the same with an amendment as follows:

In lieu of the sum proposed by the Senate insert "sixteen."

C. A. SULLOWAY,

S. W. SMITH,

J. A. NORTON,

Managers on the part of the House.

The report was agreed to.

On motion of Mr. SULLOWAY, a motion to reconsider the vote whereby the conference report was agreed to was laid on the table.

HENRY I. SMITH.

Mr. RUMPLE. Mr. Speaker, I desire to call up the conference report on the bill (H. R. 8794) granting an increase of pension to Henry I. Smith, and I ask that the reading of the report be omitted and that the statement only be read.

The SPEAKER. Without objection, this course will be pursued.

There was no objection.

The report of the committee of conference is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8794) granting an increase of pension to Henry I. Smith, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate insert "forty."

J. N. W. RUMPLE,

ELIAS DEEMER,

Managers on the part of the House.

A. G. FOSTER,

J. R. BURTON,

E. W. CARMACK,

Managers on the part of the Senate.

The Clerk read the statement, as follows:

The bill (H. R. 8794) granting an increase of pension to Henry I. Smith passed the House at \$60. The Senate amended by striking out \$60 and inserting \$80.

The result of the conference is that the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows: In lieu of the sum proposed by the Senate insert "forty."

J. N. W. RUMPLE,

ELIAS DEEMER,

Managers on the part of the House.

The conference report was agreed to.

On motion of Mr. RUMPLE, a motion to reconsider the last vote was laid on the table.

## IRRIGATION OF ARID LANDS.

Mr. MONDELL. Mr. Speaker, under the rule adopted yesterday, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of Senate bill 3057.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. TAWNEY in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the further consideration of Senate bill 3057. Under the order of the House the Clerk will proceed to read the bill by sections.

The Clerk read the first section as follows:

That all moneys received from the sale and disposal of public lands in Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, and Wyoming, beginning with the fiscal year ending June 30, 1901, including the surplus of fees and commissions in excess of allowances to registers and receivers, and excepting the 5 per cent of the proceeds of the sales of public lands in the above States set aside by law for educational and other purposes, shall be, and the same are hereby, reserved, set aside, and appropriated as a special fund in the Treasury to be known as the "reclamation fund," to be used in the examination and survey for and the construction and maintenance of irrigation works for the storage, diversion,

and development of waters for the reclamation of arid and semiarid lands in the said States and Territories, and for the payment of all other expenditures provided for in this act: *Provided*, That in case the receipts from the sale and disposal of public lands other than those realized from the sale and disposal of lands referred to in this section are insufficient to meet the requirements for the support of agricultural colleges in the several States and Territories, under the act of August 30, 1890, entitled "An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts, established under the provisions of an act of Congress approved July 2, 1862," the deficiency, if any, in the sum necessary for the support of the said colleges shall be provided for from any moneys in the Treasury not otherwise appropriated.

Mr. GROSVENOR. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Page 2, strike out lines 8 to 20 inclusive, and insert in lieu thereof the following:

"But no part of the proceeds of sales of public lands required to carry into full effect the provisions of the act of August 30, 1890, entitled 'An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an act of Congress approved July 2, 1862,' shall be so set apart or diverted to such irrigation fund."

Mr. GROSVENOR. Mr. Chairman, I ask unanimous consent to be allowed to address the committee for ten minutes.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to be allowed to address the committee for ten minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. GROSVENOR. Mr. Chairman, the provisions in the bill to which my amendment is aimed points out to the committee the fact that this bill proposes not only, in my judgment, a great national wrong to be perpetrated on the farming community of the entire United States, but it proposes, in addition to that, to undermine and destroy the value of the provision made by the act of 1862 for the establishment of what was called agricultural colleges in the various States of the Union. Members of the House of Representatives may as well understand that if they pass this bill not only will they do a wrong, which I will intimate later on, in regard to the great farming interests of the United States, but they will destroy or paralyze, or substantially render nugatory, the appropriations by Congress for the agricultural colleges for all the States of the Union.

Here is a direct draft made by the railroads on the only resource of these colleges to put into a mortgage on perpetual recurrence of each year the proceeds of the sales of the public land from which hitherto the agricultural colleges have received their support, not only through annual appropriation made directly, but through the support of experimental stations which we all understand.

Now, it may be said that there is a provision in this language which I propose to strike out that if the proceeds of the sales of public lands are not sufficient, then the agricultural colleges shall be supported out of the Treasury of the United States. That, therefore, is equivalent to putting an appropriation for this irrigation purpose indirectly and immediately as a permanent annual charge on the Treasury of the United States, and it is without any limitation of amount, without any estimate of how much it will cost, without any limitation of when it shall cease, and it is simply prying open the door of the Treasury of the United States and the insertion of a crowbar that prevents it ever being closed against this claim. I will not pursue this branch of the question any further, but I wish to take as my text a single paragraph of a circular letter sent out by the farmers of the East, and I commend the gentleman from Massachusetts [Mr. TIRRELL] to study the agricultural interests of the section of the country he represents. This is dated at Ithaca, N. Y., and is the result of the concurrent action of the farmers of the Eastern States:

There has never been during the history of the United States a question before Congress so detrimental to the interests of agriculture in general—so degrading to farming as a business—as the irrigation scheme now contemplated at Washington. It is proposed to irrigate vast tracts of Western land at the expense of the Government, thus adding to the public domain millions of acres of high class farming lands, to be given away to foreigners and others under the homestead act.

Mr. Chairman, the people of the United States gave to actual settlers and as a subsidy to the great transcontinental railroad lines a vast empire of public lands. While the farmers of the East, while the farmers of the great Middle States, while the farmers in every State westward to the Missouri River were honestly plodding under adverse circumstances and buying the land upon which they were operating, the Government was giving away this vast territory to actual settlers in furtherance of the great republican idea of establishing cities and towns and States away out on the public lands.

It is said now that a vast quantity of that land is not as good as it was supposed it might be—not even fit to be a gift from the people of the United States to the people who have settled out there. Now, what is this proposition in concrete? It is to make those lands become the invincible competitor of the farmers of Illinois, of Indiana, of a large part of Kansas, and all the way

east of that part of the Union—their invincible and unconquerable competitor because of the fertility that is to be added to their soil.

And how is that to be done? It is to be done by going back to the people who gave away that land in common with the people of the whole country and compelling them by a system which I believe to be scarcely understood by a majority of the people of the country—compelling them now to create a competition with the farms that people on this side of the Missouri River have bought and paid for that will at once lessen the value of these lands and largely enhance the value of the other lands.

No wonder that these great railroad lines are here in mighty force to carry this measure through, for millions of acres of this land are still owned by the railroad companies. It was given to them as an absolute gift, for there was not one of them that ever expended a dollar of money in set-off against a subsidy of the public lands that was given to these transcontinental railroads of the United States. And now they come and say, "You have given us this land; you have given us this subsidy of money; now put four, five, or six times the value into that land by taxing the people of this country for the money to do it indirectly, and then we will show you a competition, such as the eloquent gentleman from Nebraska described last night, that will crush the farming industry of the entire great central West and East."

I have no objection to the growth of the West; I glory in it.

Mr. MIERS of Indiana. Can the gentleman state the number of acres now owned by railroads and other corporations?

Mr. GROSVENOR. I can not; but it is a vast quantity. It ought to be easily ascertainable; and I wish I had the information at hand.

It is safe to say that the passage of this bill and the execution of this law will increase those railroad lands to four times their present value. And for what; and why? Some gentlemen stand on this floor occasionally and talk about an "infant industry" of beet sugar. If this scheme can be carried into practical operation I would not give 5 cents on the dollar ten years hence for all the beet-sugar stock this side of the Missouri River. What is the evidence that has been taken this year before the Committee on Ways and Means? Why, sir, the evidence is that the beet-sugar men of Utah and California and Colorado can manufacture beet sugar to-day almost a cent a pound cheaper than can be done without the application of irrigation.

Mr. TONGUE. Will the gentleman yield for a question?

Mr. GROSVENOR. Certainly.

Mr. TONGUE. We are, I believe, paying about \$100,000,000 (are we not?) annually to foreign nations for sugar. Now, do I understand that the gentleman from Ohio would regard it as a great calamity if we should be able to produce that sugar in what is now the arid region of the United States, on land that is now worthless?

Mr. GROSVENOR. I have no objection to it. I would uphold the interests of sugar, and I would not vote to take the differential duty off refined sugar for the purpose of destroying the beet industry of the United States either, and I did not do it. I hope the time will come when we can produce \$100,000,000 worth of sugar and go into the export business. But I am not willing to tax the farmers of my district and my State to take these railroad lands and all these lands and convert them into sugar-producing lands.

I add the following:

#### IRRIGATION SCHEMES OF THE WEST.

[By Gilbert M. Tucker, editor of the Country Gentleman. Read before the annual meeting of the New York State Farmers' Congress, at Albany, in February, 1900, and published in the annual report of the New York State Agricultural Society for the same year.]

The fact that innumerable bills having for their object the irrigation of Western lands at the expense of the Government are now before Congress is responsible for the republication of this paper, which presents strong and convincing arguments against the Government's carrying out any such line of policy. As a United States legislator you will be called on to consider these unjust and abominable measures, and you are asked to peruse this article carefully and to weigh the arguments presented in an impartial and unprejudiced manner before casting your vote.

When a dog is about to lie for a nap, you will notice that he is very apt first to go through a perfectly useless and seemingly unmeaning performance hardly in character with his wonderful sagacity, which so closely approximates the intelligence of man. He turns round and round two or three times in a little circle, his head about touching his tail. Why does he do it? Simply because his savage ancestors, thousands of years ago, living in forests undergrown with brush and weeds, noticed that they were more comfortable in their hours of repose if they first constructed in this manner a rough nest or bed. The turning round was to level the plant growth and smooth it down into a sort of mattress.

What was at first a perfectly reasonable and commendable procedure, taken under the guidance of something very closely resembling intelligent thought, came in time to be instinctive—that is to say, it was and is performed under an unthinking impulse; and the instinct became ultimately so fixed in the race, so runs in the dog's blood, one may say, that it dominates the actions of the remote descendants of those early canine creatures to-day. The dog continues to perform, without necessity, sense, or purpose, on a soft carpet or smooth wooden floor the operation which his far-away ancestors performed with very good reason in the rank undergrowth of their native forests. The practice goes right on, centuries after changing circumstances have utterly destroyed its original value.

Similar occurrences of the persistence of superannuated practices are very frequent through the whole domain of animal life; and man is not exempt. Many ideas and beliefs once sound continue to influence human life long after they have entirely lost all application and fitness to a later environment, and have therefore become at least useless, in many cases positively detrimental to posterity.

Such ideas and beliefs, inherited from past generations and still cherished, without reflection or consideration of altered circumstances, dictate to a lamentable extent the policy that governs in our time the management of the public domain, still the property of the people.

Time was, say a couple of centuries ago, or even not quite so far back as that, if you like, when every foot of extension of the civilized occupation of this country back into the wild interior, every increase in population not positively vicious, was in many ways a real and solid gain to the people of the American provinces. Occupying as our forefathers did but a narrow strip of land along the Atlantic coast, with only inchoate manufactures, very slow and uncertain communication between different sections, and agriculture not much more than adequate to provide for very modest living, the one thing that was wanted before all others was development of the nation. The father of a large family of stalwart sons and daughters was most distinctly a public benefactor.

As the children moved westward, bringing into cultivation acre after acre of new soil, and thus supplying better and better the needs of a growing population and enlarging the material resources of the common stock, they were laying broad and deep the foundations of the future greatness of the nation, and every pioneer deserved a godspeed from all well-wishers for mankind. If any central authority had at that period exercised effective control over the unoccupied lands that stretched off, seemingly without limit, to the west, it could not possibly have done a better thing for all concerned than to facilitate by every means within its power the taking up of these lands as fast as possible by anybody who could be induced to occupy and cultivate them. Pioneering and homesteading were philanthropic occupations of the very first order of necessity and merit.

But it must never be forgotten that the circumstances of the seventeenth century in this country were radically different from those that surround us at the dawn of the twentieth, and that many lines of public policy once eminently laudable have become obnoxious and dangerous as times change.

When a baby weighs 10 pounds it has just one alternative before it—grow or die. When, in after years, the 10 pounds has become 200 the condition of affairs is changed; further increase is suggestive rather of dropsy than of growth. The behavior most suitable to the infant nation, just stretching its unformed limbs and not yet quite certain what sort of creature it will grow to be, becomes in the highest degree absurd and detrimental when maturity has been attained and the former infant has reached the understanding and the enjoyment of the powers of manhood. Of this obvious fact, in its relation to a rational management of the public domain, sight has largely and most unfortunately been lost by the American people.

We go on hurrahing for every increase that successive censuses show in our population, with very little consideration of the quality of the people that have been added—in our agricultural area with very little consideration of its actual value to the nation—and, above all, in our production of crops, without any consideration at all of the profit of growing them or the real financial condition of the men who are feeding half the world. We go on turning round and round like the dog merely because our ancestors did so, and we take it for granted that that must be the proper thing. To sum it all up in a nutshell: Time was when every enlargement of our agricultural area conducted to the general welfare; such enlargement does not conduce to the general welfare now—quite the reverse. All the same we go on tranquilly permitting if not actively encouraging such enlargement and congratulating ourselves on that which is really, though insidiously, bringing upon us a train of appalling evils.

Before endeavoring to indicate definitely what some of these evils are and the ponderousness of the weight that they are throwing upon our financial prosperity, let me make a plain statement of the speed and energy with which the Government is dissipating and worse than dissipating our priceless heritage of cultivable lands, the property of the nation at large, and transforming what ought to be a blessing into a veritable curse.

According to the reports of the General Land Office down to July 1, 1899, the latest available, the average rate of alienation of our public lands for the decade last preceding that date was nearly 11,500,000 acres per annum, which is approximately 1,000,000 acres per month, over 31,000 acres per day, about 1,300 acres per hour, more than 21 acres per minute, or say 1 acre every three seconds, day and night, Sundays and holidays all included. Let us try to picture to ourselves what these figures mean. They mean that more than 17,000 square miles, an area considerably larger than one-third of the State of New York, is given away, practically given away, every year of our lives; nearly 1,500 square miles, considerably more than the State of Rhode Island, every month that passes; more than 2 square miles every hour.

Imagine yourselves standing at the boundary, if there were such a boundary, between the land now the property of individuals and that which still belongs to the nation at large and seeing that boundary moving before your eyes into the Government possessions at such a rate of speed that the latter were steadily shrinking, hour after hour, day after day, year after year, at the rate of 21 acres per minute! Such is the rapidity with which we are energetically squandering our most inestimable possession. Our property burns our pocket, as they say of a spendthrift's money, and it seems that we shall never rest easy until we have dissipated the whole.

Now, of course you will say at once, "Well, well, but we are not giving the land away; the National Treasury gets something for it; and besides, we are developing the country. What in the name of commonsense is land good for, arable land, if not for civilized man to cultivate? We are giving homes to the homeless of all the world. There is no grander chapter in the history of mankind than the filling up of our great Western territory with industrious, intelligent, free, and happy people."

Let us consider these points.

The return that the Government receives from the average of all its agricultural land parted with, year after year, comes to so little more than enough to pay for the actual expenses of marketing it that this return may be left out of the question. And then it must be borne in mind that with the rapid increase of population in this and other countries and the consequent constant increase in the demand for food, it is perfectly certain that these wild lands of ours will be worth very much more, will actually command a much higher value in cash, if held and sold only on business principles, during the time of each successive generation than during the time of that which last preceded it. We are forcing upon a market already fearfully oversupplied the property for which the future is positively certain to bring a vastly increased demand at vastly higher prices than can now be secured for it. For all practical purposes, the lands are given away.

But we are furnishing homes to the homeless and developing the country! A great many birds have been caught with that chaff. A farm is primarily a factory, only incidentally and accidentally a home. Keep that distinction very clearly and sharply in mind, I pray you. Of course the owner may live on the premises; so may the owner of a cotton mill. But in every respect in which the occupancy of new farms at the far West affects the interests of the



present owners of the property out of which they are carved—the people of the United States—each new farm is to be considered entirely as a new factory, entering directly into competition with those now established.

And as to developing the country: The long life of the passion for accomplishing that very indefinite feat is a straight case of the dog's turning round before he lies down because his ancestors discovered that the practice under the circumstances then surrounding them conduced to their well-being. A century ago, no doubt, the country needed development; but, great heavens, what is the haste to develop it further just now? Are we not numerous enough, strong enough, as a people? Could any nation on earth dream of invading our territory?

What in the world are we gaining, what can we possibly gain, by this frantic, breathless haste to develop, to fill up our whole country with people, any and every kind of people, foreigners very largely, the offscourings of the earth in no small part?

Whoever has leaned on the forward rail of a westbound Atlantic steamer and watched for a while the immigrants on the steerage deck below, as I have done many times, must pray earnestly for the day when America shall most definitely go out of the business of offering an asylum to the down-trodden of every clime. What does it profit us? For my own part, I think the development, the filling up, is going on far too rapidly to be a healthy process; and I am very sure that the not inconsiderable fraction that comes to us yearly from abroad is something that we could very, very well manage to dispense with.

And now for what is, after all, the one main point of practical interest. How are we injured—we, the farmers of the Eastern States, and the classes that depend directly upon the farmers of the Eastern States for prosperity—in what way, definitely and exactly, are we injured by the liberality of the Government in giving away its wild lands—our wild lands—as fast as possible to anybody and everybody that will take them?

In the first place of course one thinks naturally of the competition of the products of the new farms in the markets of the world. I am inclined myself to the opinion that the injury in this direction is rather less than might be supposed, and that it is, in fact, very far from being the darkest element of the problem. The growth of population must of itself take care of the increased production in part. The new farmers need an infinity of things that they can not possibly produce. That helps manufactures; manufactures require workmen; workmen must eat; and thus the established farmers of the older regions will find a certain increase in the demand for their products, making up, in part, for the new supply thrown upon the market by their increasing competitors. And then, again, the price of breadstuffs is very largely governed by the yield of crops abroad and the occurrences of every kind that take place in foreign countries. Wheat may bring a high price, though the American crop be immense; it may go begging, though our fields yield the scantiest return.

Still, of course it is patent that on the whole every new State in an agricultural region will for a long time export a considerable surplus of foodstuffs of some sort, and thus act distinctly, to a certain extent, in bearing down the market price. Most assuredly, after making all allowances, the competition of the new regions in selling just what we want to sell is a danger and an injury that must be taken into the account. But that is only the beginning.

A second channel of mischief is the absorption by the free lands of the men and women who ought to supply, and in the normal condition of things would supply, an abundance of labor, at moderate wages, for established farmers. The demand for trustworthy farm help, at prices that farmers can afford to pay, is left largely unsatisfied—to the injury of the farming interest, and perhaps most of all to the overburdening of the wife of the small farmer with tasks of which hired servants should greatly relieve her—by the facilities with which the persons who ought to supply it can go West and become farmers on their own account, your property and mine being freely offered them for that purpose. Why should anybody work for you, except perhaps at extravagant compensation, when the Government is willing and anxious to make him a landed proprietor himself, without money and without price?

Nor is farm labor alone that is drawn away from its natural homes by the recklessness of Uncle Sam in giving everybody a farm. A class of people better off financially go West also and take their money with them, the class among whom the farmer looks for tenants if he wishes to let his property, for purchasers if he wishes to sell. Why should a man of some means hire your farm or buy it if he can get one of his own for nothing, grow up with the country, and presently land in Congress and go to making laws for you and the rest of us?

Now notice, please, how these three wrongs converge to drain the very lifeblood of the established farmer who has bought his farm and paid for it, or (still worse) owes something on it. The value of his crops is reduced by unfair and illegitimate competition; the supply of labor that he needs is minimized and therefore its price enhanced, and the class among whom he ought to be able to find tenants or purchasers is immensely restricted. The same malign influences act, of course, on all his brother farmers.

Their profits, like his, are immensely diminished, and many of them, like him, are offering their farms to anybody who will pay a good rent or buy at a reasonable value. Thus an unnatural and intensely pernicious competition is set up—set up by our own Government, mind you, for which we pay—between farmers of the older States, for the disposal of their property. So, of course, the value shrinks; the farmer falls out of the rank in the social scale that he ought to hold, because his property has so little money value; for, say what you will, a man's standing in society is regulated very largely by his supposed financial means. And if he wants to borrow money on his farm, he finds not only that it will be valued far below what would be normally a reasonable sum, but also that lenders are rather loth to advance money on farm security at all, because the sale of such property is slow and uncertain.

It is maddening to think of. The American farmer ought to be the most independent being on earth, and one of the most envied. Of all property in this country, a farm ought to be the most desired and the quickest in demand. There should be a dozen would-be purchasers or tenants bidding against each other for every farm that there is supposed to be a chance to get. Farm mortgages should be the most sought for of all investments, and the interest should be reduced, by competition of lenders, to about half of what now has to be paid, while the amount that can easily be borrowed should be about twice what it is now.

It is all very well to blame the farmers of the older States for bad management when they fail to make money, and hoot at the idea that "farming don't pay." The marvel is that it pays as well as it does; the glory of the Eastern farmer is that he can make headway at all, with this horrible burden on his back.

Now, consider the equities of the case. This is no sort of a sectional plea, no setting up of one part of the country or one class of our people as entitled to any kind of special favor from the Government or special protection from competition. Not a bit of it. Nothing like it. The simple fact is just this: The public lands belong to the people at large, and it is distinctly opposed to the interest of the people at large that any more of them should be brought into cultivation, because our great basal industry, the industry on which all other American industries depend, is agriculture, and agriculture is depressed, its profits reduced, by every increase of our cultivated area.

Finally, what is to be done about it? It is too late now to hope for repeal

of the homestead laws and similar out-of-date legislation in time to do much good. Ten years ago next October, when the journal with which I have the honor of being connected began the first regular attack that has ever been made on our outgrown and now suicidal national policy of dealing with the public domain, a very large area of arable land was still the property of the nation, and the work of giving it away, to the unspeakable injury of the owners, might well have been arrested. But I am sorry to say that it was then, as it very largely still is, quite impossible to rouse the class most directly interested—the farmers of the older States—to any sort of energetic action for the protection of their own well-being. Farmers' organizations, as a rule, have devoted themselves to all sorts of rainbow chasing, or have frittered away their energies on matters deserving enough, perhaps, but of very trifling consequence in comparison with the immense importance of attacking the one great evil.

Very few individual farmers could be induced to call up the matter in granges or similar bodies, or even to interview their own representatives in Congress and urge them to action. Considerably more than a hundred millions of acres—just think of it, a hundred millions of acres—have been given away since then, with hardly an audible protest from the class who were daily robbed and impoverished by the operation, until now it is almost within bounds to say that there hardly remains a desirable homestead in any State washed by the Mississippi or its affluents; and they are scarce anywhere. As the last Yearbook of the Department of Agriculture says, "all the best parts of the public domain have been appropriated, and comparatively little good agricultural land remains open to settlement." One might think we were within sight of the beginning of the end of the mischief, and might hope now for a slow improvement, the supply of wild land being nearly exhausted, while our population is increasing by leaps and bounds.

Lay not that flattering unction to your soul. We are merely entering upon a second stage in the work of spoliation. Animated by an intensely selfish and narrow desire for the so-called development of their own States and Territories at the expense of the great body of the nation, the people of the far West are raising in increasing volume, year by year, a demand for the irrigation of the immense area of arid lands now the property of the United States, that at least a hundred million acres more may be brought into the market to compete with your property and postpone to the indefinite future the time when the possessor of a good farm shall be, as he ought to be, an object of general envy. The demand for this outrageous robbery of the people takes two forms. The plot at first was to induce Congress to irrigate this vast area at the national expense—at your cost and mine—that it might be rendered attractive to new competitors in our own industry and divided among them. This scheme of open robbery, however, was a little too barefaced to be very dangerous. Nobody could help seeing that it was just like asking Congress to build factories and give them to any impecunious but enterprising applicant that came along—imagine what our manufacturers now in business would say to that! This plan, therefore, is not, just at present, pressed very actively, though still rearing its horrid front, in some form, during every session.

But another scheme has been devised, to which it is hoped there will be less objection. It is simply for the National Government to give, give out and out, all our arid lands to the States and Territories in which they happen to lie, in order that the local authorities may do the irrigating themselves. Just think of it! These lands are the property of all the people, just as much the property of the farmer in the northeast corner of Maine or at the extremity of the Florida peninsula, as of the people who live around them; five-sixths of all our population are east of the Mississippi and Missouri; and yet it is seriously proposed—yes, vehemently urged—that their ownership in the lands referred to be taken from them by force and given to the handful of people in the newer regions, these people themselves being chiefly the beneficiaries of the previous injustice of the Government under that miserable old homestead law, that the property may be used directly and actively to the injury of the present owners. It is difficult to speak with patience of a proposed iniquity like that.

If some of our Montana friends who are doing their best to bring it about were owners of valuable lots in Boston which they preferred to keep vacant until a growing demand should bring an increase in their selling value, and the Bostonians living round these lots should endeavor to seize them, under color of developing Boston and providing homes for the homeless, one can imagine the indignation of the owners and the opinion they would express of the conscienceless rapacity of the plotters. The shoe is on the other foot; it is not their ox that is gored; and the plotting and scheming goes bravely on.

This brings us directly to the answer to the question—no matter about the past—what is now to be done? Just exactly this: Let every man of you resolve to exert himself in all proper ways (and there are many) to kill every bill that comes before this present session of Congress and every future session for the irrigation under any pretense of the arid lands or for the giving of them away to the States in which they lie. You can accomplish infinitely more than you perhaps suppose if you will use your power.

The editorial pages of the Country Gentleman will keep you constantly informed of every one of these miserable bills as it comes up, giving definitely the number on the Calendar, the name of the introducer, and the committee to which it is referred. Let every man who hears me sit down then, immediately, and write a personal letter to his Senators or to his Representative, according as the bill makes its appearance in the Senate or in the House, and also to the chairman of the committee having it under consideration, invoking his active opposition. Let him ask all his neighbors to do the same. Let him see that his grange, or any sort of agricultural union with which he may be affiliated, adopts ringing resolutions of protest, and that the secretary sends copies to the Representative and the Senators. God helps those who help themselves. If the farmers of the East permit the far-Western schemers to pursue their course of determined spoliation, enriching themselves, indirectly perhaps, but not the less really, at your expense and mine, the farmers of the East must expect conditions increasingly unfavorable, year after year, decade after decade, for themselves and for their children; must expect that increasingly severe and unintermitted toil will yield increasingly meager returns, and must expect themselves to descend gradually but steadily in the social scale till there shall be none so poor to do them reverence. In time, no doubt, a century or two perhaps, conditions must change again, as our increasing population makes larger and larger demands for food, while the supply of land on which it can be raised becomes proportionally smaller.

But there is no earthly need to postpone the beginning of this recovery to an indefinite epoch in the uncertain future. Let the farmers of the East put forth but a mere fraction of the power which they most properly hold, if they would only use it, over our national legislation, to stop this tremendous and tremendously cruel and unjust competition by the beneficiaries of our own Government, and especially to strike at this hydra of an irrigation scheme in all its phases whenever it appears, and the possible prosperity of the vague future may be realized within our own time in a solid financial return for that form of labor which most deserves the triple boon of a bright and hopeful youth, a contented mind at maturity, and a competence with honor in declining years. Not, of course, that any legislation or the absence of any legislation can of itself make all farmers prosperous, any more than any legislation or the absence of any legislation can of itself make all men honest and prevent cheating. But although legislation is often impotent for good, it

is always, if unwise or unjust, almost omnipotent for evil; and at the present time unwise and unjust legislation creates the one only cloud in the otherwise bright sky of American husbandry. To prevent the enactment of unwise and unjust laws, having for their sole purpose the enrichment of a comparatively restricted section of the country at the expense of all the rest—this is the one paramount duty of the hour.

#### THE IRRIGATION SCHEME—SHALL CONGRESS DO THE FARMERS A GREAT WRONG?

[By Frank Sherman Peer, author of *Soiling, Ensilage, etc.*]

The following articles were published in the *Country Gentleman* January 16, 23, 30, and February 6, 1902. They are published in pamphlet form for free distribution at the request of many prominent grangers and agriculturists throughout the country.

Farmers' clubs, the Grange, Farmers' Institute workers, or anyone interested in the subject may procure copies by inclosing stamps to prepay postage. As many copies will be forwarded to any address as can be sent through the mails for the stamps received. Address W. W. Van Slyke, Lock Box 475, Ithaca, N. Y.

To the United States and State legislators:

Permit me to call your attention to the following pages, which in justice to agriculture you are earnestly invited to carefully consider. It is hoped you will use your influence in behalf of your overworked and underpaid constituents.

While the Government gives real protection and assistance to all manufacturing and trade industries, it keeps giving away millions of acres of land annually for farming purposes until overproduction has depreciated farming lands fully 50 per cent in value, and agriculture as a business has become little better than unremitting toil.

To the farmer:

There has never been during the history of the United States a question before Congress so detrimental to the interest of agriculture in general, so degrading to farming as a business, as the irrigation schemes now contemplated at Washington. It is proposed to irrigate vast tracts of Western lands at the expense of the Government, thus adding to the public domain millions of acres of high-class farming lands to be given away to foreigners and others under the homestead act.

The author appeals to you to do everything in your power to defeat any such action.

ITHACA, N. Y., March 27, 1902.

#### AN APPEAL TO EVERY EASTERN FARMER.

EDITORS *COUNTRY GENTLEMAN*: The greatest question before the Eastern farmer to-day is the enormous depreciation in the value of farming lands, while the taxes on the same in most States have gone higher and higher.

Why have the farms in New York State been depreciated 50 per cent in value during the last ten years? The cause is overproduction, and the reason there is an overproduction is because the United States Government, that is supposed to be an arm of defense for all our people and a foster mother to every industry under the flag, has been setting up thousands and tens of thousands of immigrants and others yearly in the farming business.

Competition has thus become so keen that there is nothing left for an Eastern farmer to do but to work himself and his family as a foreigner does or let his farm on shares to an immigrant, who, because he is willing to live half-fed and half-clothed, without books, papers, or recreation for himself, or education for his children, can compete with men of the same class who have their farms given to them by the Government.

#### CONTRACT LABOR.

Look at it! The Government will not permit a farmer to say to a foreigner: "Come over here; I will give you a job drawing manure." No; the foreigner would be transported to the country from whence he came, and \$2,000 fine and imprisonment would be the farmer's penalty for violation of the law. At the same time, the same Government says to the same transported immigrant: "Come back here, and Uncle Sam will give you a job; not only that, will set you up in business. If you will only come, you shall have 160 acres of land free and clear from all incumbrance." Back comes the transported foreigner, virtually under contract with the Government, while the farmer who offered him a job at drawing manure looks on through prison bars.

We have for years smarted under this humiliation, this degrading of our business, but we saw an end of the free-gift lands and lived and hoped that when it was all gone farming in the East would once more hold up its head and again become an industry that our children would be pleased to follow. Alas for all such hopes if this Western land-irrigation scheme goes through, as it surely will unless the East fights it tooth and nail from now on.

While I feel like apologizing for using disrespectful language toward the Government we all love so well, I feel that the time has come when sentiment must no longer stand in the way of judgment and truth. We (the Eastern farmers) have been looking at this glaring injustice like a barnyard fowl being submissively lifted from his perch, while he blinks with admiration at the glimmer of the candle held in his face.

I wish to show how it looks to the man who has seen the value of his farm depreciate 50 per cent within the last ten years on account of overproduction in the West, while the taxes this year are 20 per cent higher than they were ten years ago.

Our Government, in giving away an average of over 6,000,000 acres a year to foreigners for the last ten years, has not only reduced the value of our farms by half, but has degraded agriculture as a business almost to a level with these same ignorant foreigners, whom our Government has been setting up in the farming business by the tens of thousands every year, while, as I said before, farming in the Eastern States, generally speaking, is little better than unremunerative toil.

#### THE GOVERNMENT IN THE LOTTERY BUSINESS.

It was therefore with sadness and a feeling of additional humiliation that we saw our Government go into the lottery business last summer, so that it might dispose of a vast number of acres in a hurry. The Government of the United States has a fine and imprisonment for any man who would attempt to establish a lottery business. But the same Government goes into the enterprise, and the prizes it offers are 160 acres of land. The Government itself turns the wheel of fortune, and 150,000 foreigners and others are, in the space of two days, added to the list of producers of farm products, and, consequently, to a still further depreciation of all farm property in the Eastern States.

I defy anyone to produce from the history of the United States such a disgraceful piece of business by the Government at Washington toward any industry under the flag. A hundred Senators, a thousand Congressmen, unite in saying that agriculture is the foundation of national prosperity. At the same time they are heedless of the fact that what the Government is doing for the West it is taking from the East.

#### A PROFLIGATE GOVERNMENT.

There was a time when our Government could give away lands to foreigners, or anyone who wanted them, without injury to any other man; but that day has long since passed. Still the Eastern farmers have submitted without a word, believing the free-gift lands of the West would, in the hands of our profligate Government, soon be disposed of, while the cities would go on increasing, and in time prosperity would once more return to agriculture, when, lo! up comes this Western irrigation scheme, that proposes to create or redeem millions of acres of the arid plains of the West by irrigating them at a cost of millions of dollars; that there may be provision made for another million immigrants and others to go into the business of farming, largely at the expense of the Eastern farmer, who is to pay the taxes that make the scheme possible.

It was only by a hair's breadth that the entering wedge for the fulfillment of this plan failed to be driven into the river and harbor bill at the last day's session of the past Congress. It is bound to come up again during the present session, and with renewed strength. The only hope of its defeat is the united and concentrated efforts on the part of the farmers of the Eastern States. There was never in the history of the Patrons of Husbandry such an opportunity for that body to make itself useful to itself, and to demand of the Government at Washington that protection it professes to award to every citizen and every industry under the Stars and Stripes.

President Roosevelt, in a speech that he made while traveling through the West last autumn, as later in his message, gave the promoters of this irrigation scheme to understand that he was in favor of appropriating Government funds for the purpose of irrigating large tracts of Western lands.

President Roosevelt is, first and above all else, a genuine sportsman; therefore play fair, and fair play is with him a cardinal virtue. That President Roosevelt has committed himself to such a scheme merely shows that he has not been in possession of the facts. It is for the grange and every individual farmer of the Eastern States to see to it that this question is thoroughly and forcibly brought to the notice of every Senator and Representative at Washington, and to the President as well. Heretofore the scheme has been kept in the dark until the last moment, when the attempt has been made to railroad it through as a rider on some other bill. Judging from the past, this question will be kept very quiet, and the same tactics will surely be resorted to this season as last; and the silence on the question at Washington should arouse the grange to the greatest activity and without delay.

#### GOVERNMENT-MADE FARMERS.

As a rule the United States Government may not go into a business enterprise of any kind that comes into competition with private enterprises. There is at least one exception to this rule. The Government is in the business of making farmers on a gigantic scale; it turns them out by the tens of thousands every year. This might not be so bad, if in setting up these agriculturists the Government was able to produce good ones. The majority of Government-made farmers are a disgrace to the calling, as I shall presently attempt to show.

About a year ago I was standing in the streets of Antwerp, Belgium, when my attention was called to a great procession coming down the street, headed by a tall, well-dressed man. "What's the crowd," I asked a gentleman as we stepped aside to let them pass.

"They are going to the ship," he replied. "Twelve hundred of them go from here every Saturday."

"Where are they going," I asked.

"To America."

"To America! The Lord have mercy upon us! Can not these people find work at home?"

"Well, not much; we are very pleased to see that class going away."

"I should think you would be," I replied, as we moved into the center of the road for a better quality of air. A drove of cattle would have been rose water in comparison. I have been in Holland and Belgium for three weeks, and so well were the people dressed, so clean and modern were all their streets, that the emigrant question had not entered my mind until this drove came tramping along, with all their worldly goods in sheets, pillowcases, and red bandanas, headed for the wharf—destination, America.

"Who is that fellow," I inquired, "that seems to be the leader?"

"Oh, that is the ship's agent. He goes out every week and collects a cargo. He gets about a dollar per head for running them in."

"What inducement does he offer them?" I asked, thinking of the contract-labor law.

"Oh, he tells me that the United States Government will give them a farm of 160 acres out West and that Eastern bank agents will give them money to build a house and barn on it; that agricultural machine agents will let them have all the tools they require, and take their notes for them."

"He tells them they only need money enough to get to where the Government has a farm to give them. Their passage to New York costs \$15, and for \$10 or \$15 more they are taken in special trains to where Uncle Sam stands ready to keep his part of the contract, and give them 160 acres of land as a reward for coming to America and an outlay of \$25 or \$30 to get there. Then he tells them of the wonders of the great West, exhibits photographs of farms owned by emigrants who have preceded them but a few years, etc. In this way he and his assistants are able to 'round up' 1,000 to 1,200 converts who are willing to go. This goes on week after week the year round."

#### DON'T HAVE TO KNOW ANYTHING TO FARM IN AMERICA.

As he spoke I felt the blood getting hot within me at the thought of the hundreds of formerly well-off American farmers who had given up the struggle, let their farms to foreigners, their children forsaking the homestead because it could only be made to pay by the most slavish toil. "Going to America to farm, are they?"

"Well, that is the great inducement the agent offers them," was the reply. "Do these men know anything about farming?" I inquired.

"Not one in fifty," my informant said; "but that doesn't matter, you don't have to know anything about farming to farm in America."

"Don't have to know anything about farming to farm in America!" Fancy, if you can, the state of my mind at hearing this! It was the first time in my life that I was ever ashamed to confess that I was an American citizen and an American farmer. "Don't have to know anything about farming to farm in America!" I confess I was ashamed to let that stranger know I was a citizen of a country that was the dumping ground for the human rubbish of every other country in the world, China excepted, and to think our country was coaxing tens of thousands of this class every month to our shores, and, as this gentleman said, principally a class that the country whence they came "are very pleased to see taking their departure," and the inducement that is used by shipping agents, which amounts to a Government agency in collecting a weekly cargo, is the promise of a farm.

Under what obligation, I ask, is our Government to invite, yes, coax over to this country the lowest class from all nations and set them up in the farming business in competition with our farmers, who are already driven almost to bankruptcy because of the competition largely of this very class? The gentleman told the truth. A man with a thimbleful of brains is quite good enough to become an American farmer, at least in the eyes of our Government. Farmers these immigrants are not. They do not know the first



principles of agriculture; but that is no matter; that does not enter into the contract at all. They need not know a pitchfork from a shovel plow. All the Government seems anxious about is to get rid of 160 acres of land. As long as the fellow looks like an immigrant and smells like an immigrant, that is quite qualification enough for the Government, and if he will live like an immigrant and work like one, that is all the money lenders and machine agents care to know.

#### LAND PIRATES.

Of course they will go on robbing the soil of its fertility, for they have the power to destroy without the knowledge to redeem. Farmers they are not; they are only a lot of land robbers. Many of them have looted the fertility of a good 160-acre farm the Government has given them in one State and have gone on to another—a lot of land pirates, living on the fatness of the soil and leaving to posterity a farm robbed of its fertility.

"They don't have to know anything about farming to farm in America." Of course these Government farmers are mortgaged up to their eyes, but that makes them no less our competitors. The railroads carry their products past our doors to the seaboard about as cheaply as we can deliver them there ourselves.

Only a few years ago, when there was little room abroad for the Western wheat surplus, and these Government farmers were so numerous that competition was keen among themselves even on land that had been given them, they jumped eagerly at the idea of paying their mortgages with 50-cent dollars. Now, if they could induce the Government to irrigate their lands for them, they would indeed be in clover.

#### FARMING IN THE EASTERN STATES.

"But how about Eastern farmers?" I asked one of these Westerners who was talking the irrigation scheme.

"Oh," he replied, "farming has gone to the devil in the Eastern States, anyway. All that country is good for now is to raise chickens and garden sassa. Come out West, if you want to see farming. We are the people. The agriculturists of this country are in the West. We are going," he continued, "to have the grandest thing on earth when we get that irrigation scheme working. York State won't be knee-high to a grasshopper as an agricultural State after that." Then he went on to tell me of the great canals and dams and reservoirs, and the wonderful crops that were going to supply the world, etc.

"What is it going to cost," I asked, "to build these great irrigation canals?"

"Oh, we want about \$100,000,000 for a starter—for a starter, mind you."

"Where do you expect to get the money?"

"From Washington, my boy, from Washington! You just look sharp and you will see something drop before this session of Congress ends."

And so we did. It dropped on the river and harbor bill the last day, in the afternoon, but the excrement was fortunately cut off, though at the cost of the defeat of the whole bill.

#### PROTECTION FOR FARMERS.

Protection, indeed! Look about in these days, when every factory, every machine shop, and every mill is running full time, and many of them night and day, under the beneficent effects of a high protective tariff—and what is there in it all for the farmer? It is true he is selling a little more, and some things at better prices than he received during the panic, simply because there are more laborers earning money now to buy with; but the benefits that agriculture is receiving during these years of unprecedented prosperity are but the reflection of borrowed light from the other industries. We are regaled by statistics showing that when wheat advances 3 cents per bushel it adds to the income of the American farmers about \$4,000,000.

It seems like a large sum; farmers must be getting rich; but when it is divided among the lot there is hardly the price of a ready-made pair of shoes in it for each. The probabilities are that 90 per cent of the wheat grown east of the Mississippi is even now grown at a loss.

What does it signify to say that the farmers are making \$100,000 this year, when they lost double that amount last year? The price of farming lands is the only condition by which to judge of the prosperity of agriculture, and that has been steadily on the decline since 1870, until in these days there is little or no market for a farm. What, then, becomes of all this agricultural prosperity that the politicians are telling us about? Who wants to buy a farm? No one. Who wants to sell a farm? Everyone.

#### FARMING IN THE FIFTIES AND NOW.

It is the purpose of this article to contrast the conditions of agriculture in the State of New York to-day with what it was in the fifties.

I speak of farming before 1860, because after that there was an unnatural boom in agriculture, owing to the war, and this may be said to have lasted for about ten years. In 1870 or 1872 agriculture had returned to its normal condition, or to about the same level that it occupied in the latter part of the fifties. I wish to show that while all other industries in the United States have and are to-day receiving protection from foreign competition by the Government at Washington, the Government public-land policy since 1870 has been such that agriculture has had less than no protection at all. It is true that there is a protective duty on agricultural products coming from Canada; but all that is saved to the American farmer by tariff protection is lost ten times over by the Government's setting up from fifty to a hundred thousand foreigners annually in the business of agriculture since 1870. This policy, which continues to this day, is ruinous to the farming interests. While the Government saves for the American farmer a little at the vent, the same Government lets everything free at the bung. For every dollar the Government saves the farmer in the East by protection it gives away 160 acres of land to a foreigner in the West.

#### GENTLEMEN FARMERS OF THE FIFTIES.

I wish to show you the farmers of the fifties as I knew them, and to contrast them and their circumstances with the farmers living on the same farms to-day, surrounded, as they are, with all the improved machinery, with better freight rates, and enlarged markets. There was in Wayne County, N. Y., in the fifties a community or neighborhood of some 18 or 20 farmers, living within a radius of 2 to 3 miles, that left on my mind an indelible impression of what it meant then to be a farmer. These men owned farms of 100 to 150 acres. Many of them had themselves helped to clear them of forests or stumps left by the axes of their fathers. My recollection of them, however, is during the latter half of the fifties. There was not a man of the number that I could mention who pretended to do a day's manual labor on his farm. They might help to "strike a furrow" or lend a hand in a hurrying time, but, as a rule, my recollection of them is that they were a lot of gentlemen farmers.

The majority of them went about their farms, cane in hand, dressed in a "claw-hammer" or frock coat, with brass buttons. They wore white shirts, high standing collars, and broad silk or satin stocks; their boots were well cleaned or greased every morning from a skillet of tallow that was always kept standing on the stove for that purpose. These farmers not only went about their farms with the air of gentlemen, but they dressed like gentlemen, looked and talked like gentlemen, and acted like gentlemen.

I am not saying that a man can not work his own farm and be a gentleman.

I am giving you my impression of these farmers as I thought of them at the time, and for that matter ever since. The words "gentleman farmer" was used in those days as it still is in England—meaning a man who owned and lived on his farm and managed the business part of it, while the labor was performed by hired help. These gentleman farmers had no other business besides their farms. They drove into town to sell their crop, and again to see it weighed and to collect the money. Their sons and daughters were sent to school and also to college, and these gentleman farmers themselves would compare favorably with an equal number of the most cultivated gentlemen in Wayne County to-day, regardless of occupation.

#### GRUBBING FARMERS OF THE NINETIES.

Two years ago I visited this same neighborhood. I saw there men working these same farms, who had all they could possibly do to make both ends meet, assisted by patented machinery, of which the farmers of the fifties never dreamed, having to work, toil, slave. What I saw there on those farms, compared with the way the gentlemen farmers of the fifties lived, was enough to sadden one's heart for all time. I saw men on farms of 100 to 150 acres, that represented an investment of \$10,000 to \$15,000, working as no slave was ever asked to work, dressed as only the commonest laborers dress, their wives in calico gowns, hardly presentable to the members of their own family, with no help in the kitchen except the farmers' own daughters. The shabby carpets, the empty libraries, the general absence of books and papers, was an ominous contrast to the former wealth of those homes in these respects, as I knew them in the fifties.

Here, only a little over thirty years ago, the master and mistress of a home I visited entertained the bishops of the church, legislators from Washington, and men of distinction in law and medicine. From here their daughters went to school or college, as did the sons and daughters of their neighbors, returning with parchments from Lima, Geneva, Philadelphia, and New York City. Here they lived amid a houseful of laughter, music, and good cheer. Where in former years a farmer walked about his broad acres overseeing his workmen, now plods the owner, with weary steps, in the furrow, and follows, at a shuffling gait, his manure cart to the fields, and this on a farm that has cost him \$12,000. The owner of this farm, at the time of my visit, was doing the work himself of two hired men, toiling from 4 a. m. until 8 p. m., and his wife and three children were that very day at a neighbor's picking berries by the quart to earn money. They had to do this to make both ends meet. The whole family were dressed like tramps, not a smile on their faces, all mirth gone out of their souls, and all hurrying on to a premature grave.

Have I overdrawn this picture? I wish you might say I had. But look about you, reader, and see how many farmers you can count in your neighborhood (solely dependent on their farms for every cent of income) and how many out of twenty are making 6 per cent on their investment? No merchant would be content with that. How many are making more than enough each year to pay their hired help, who has nothing invested, and their taxes?

#### WHY FARMERS' SONS AND DAUGHTERS ARE LEAVING THE FARM.

The worst feature of the general depression in agriculture remains to be told. The farmers' sons and daughters refuse to remain on the farm. There is nothing in it, and away they go to town and city. One grand old gentleman farmer, a relic of the fifties, told me, with the tears coursing down his dear old face, that his three sons and only daughter had all left him.

Not one of them would take the farm and work it as a gift.

A foreigner was working the place on shares, and will soon be living in the \$10,000 home that was built in anticipation of making the farm attractive for his own kith and kin. But who can blame these sons and daughters for leaving the farm? Not I. Selling peanuts on the street corner has more independence in it than a hundred-acre farm where the taxes and hired help run off with all the earnings, leaving the owner and his wife to work for their board and clothes. A boy sees a merchant in town with half the capital, or less, invested in business that his father has in the farm, and the merchant and his family appear well dressed, prosperous, and happy, while his own father and mother are slaves.

So it has come about that on the 20 farms I have been speaking of over half are worked on shares by foreigners. Why by foreigners? Simply because a foreigner is willing to slave as his Western immigrant competitors do and can. It is, as I said before, because the Government policy of giving away millions of acres every year to foreigners has reduced farming as a business in the Eastern States, if not over the whole country, almost to an immigrant farmer's level, and therefore nearly, if not quite, to the state of peasant farming in the old country.

Thus our farms have depreciated 50 per cent in value, which means a loss of hundreds of millions to New York State alone. Thus has it come about that farmers' sons and daughters are driven from the farm, and their fathers and mothers are left to toil at lower wages than the commonest laborer receives for the commonest piece of work and no invested capital.

The Eastern farmer and his wife have suffered all this to make the West great in a hurry, and while they toil and slave to try to get ahead the Government at Washington keeps setting up foreign competitors against them by the tens of thousands. What do you think would happen in this country, reader, if the Government should begin setting up foreigners in the manufacturing business? The manufacturers would be up in arms in a hurry, and their arms would be charged with powder and shot.

But, do you say, "This would be different?" Not at all. The difference is only in degree, not in kind, and agriculture has, I believe, \$20 invested in the State for every \$1 that is in a factory.

Is not a farmer as much a manufacturer as a man who owns a woolen mill? Certainly he is. His sheep under his management convert grass into wool, while under the management of the manufacturer wool is converted into cloth. If it is wrong for our governors to set up foreigners in competition with one business, it is equally wrong to establish them in any other business.

#### WHERE THE BLAME LIES.

I have, in a former article, spoken of the Government's error in adopting an outrageous public-land policy; but I must be fair and place the blame of the present condition of things where it belongs, and that is largely upon the farmers themselves. We have never asked the Government to alter its public-land policy, and we ought to know by this time that there is little accomplished at Washington unless some one is there to present and work for it.

I know how the farmers of the country feel in this matter. They feel that they have all that they can manage at home and that the question is too big. Again, there is among farmers a feeling that the questioning of anything that Uncle Sam does savors of disloyalty. One remembers perhaps that his father or his great-grandfather was an immigrant, and he hesitates to put anything in the way of any other man, and finally he has consoled himself with the idea that the Government in its mad haste to squander the public domain, would ultimately come to the end of its tether; and, taking it altogether, he has bowed his head to the yoke, and hope, the farmers' sheet-anchor, has kept him from crying out. But with this Western land-irrigation monster

staring him in the face, he has come to the conclusion, let us hope, that forbearance is no longer a virtue, and he is beginning to inquire what can be done, and how shall he go about it. What precedent is there as a guide or encouragement to him that his petition will be noticed at Washington?

#### UNITED WORKMEN.

Let us see. A few years ago there was organized a society of laboring men in this State. They sent a delegation to Albany to ask that contract prison labor be abolished, because they alleged it was unfair to them as workmen that the State government should keep men in employment; that the labor these convicts did belonged to them. The result was that although this labor organization represented no invested capital and paid no taxes as does the farmer, contract prison labor fell like a tree to the woodman's ax.

#### CHINESE LABOR.

Again, a few thousand people of the United States out of as many millions, sent word to Washington that the Chinaman was working so much cheaper in San Francisco than American laborers could afford to work that they wanted him shut out. They said: "These Chinamen are willing to live on rats and rice; they have become so numerous that wages are going down." Forthwith up goes the Chinese wall, not around the city of San Francisco or the great State of California, but around the whole United States—a wall so high that Mr. John can not even look in. If a ship with a Chinese sailor on board lands in any port of the United States, the Government has men on board that ship day and night to see that the Chinaman does not set foot on American soil.

Here we have a parallel case with the one under discussion; but in comparison to the injury that the Government-made farmers have done to agriculture as a business, to say nothing of the depreciated value in farming lands, this Chinese question is a few thousand Californians as to the 77,000,000 of people living in the United States.

#### CONTRACT LABOR.

Again, the "United Workmen" went to Washington and said to Uncle Sam: "This foreign contract-labor business is an injury to our interests. Contractors go or send abroad for a carload of immigrants who are willing to work for less than we are getting. These immigrants are willing to live on what in our families goes to waste. We don't want them here competing against us. We have our homes to pay for, and our homes, as well as the labor of our hands, are cheapened by letting such immigrants in. We want this foreign contract labor stopped."

"Why, certainly, of course," Uncle Sam replied; "very glad you called my attention to the fact"—and contract immigrant labor was no more.

#### GOVERNMENT CONTRACTS WITH FOREIGNERS.

What comparison, may I ask, is the harm to this country of a few hundred foreigners coming over here to dig sewers and build railroads when laborers are scarce, to the 25,000 to 50,000 immigrants the Government coaxes over here yearly to make farmers of them? I call your attention to the fact that in all these cases the point made is identically the same that the farmer must make. A precedent has therefore been established that makes the farmer's demands unanswerable. A city contractor may not say to a foreigner: "I will give you 60 cents a day if you will come over here to work." But the Government may and does keep saying to the same immigrant: "I agree to give you 100 acres of land if you will come over here; and it does not even require the immigrant to work for it. It is true the gift lands of the West, in the hands of the Government, are narrowing down, and must ultimately come to an end; but there are millions and millions of acres yet in the hands of the great railroad corporations that can be bought for a dollar or less per acre."

#### LAND SPECULATORS AND MONEY LENDERS.

But the Western land speculators and the bank agents who have fattened by the Government's land policy see their trade on the wane, and to keep themselves in the market they have concocted the scheme to have the Government spend hundreds of millions to reclaim arid plains, which means the making of another million of immigrants into farmers without money and without price.

If I mistake not, this irrigation scheme is going to be the last straw. The worm will turn at this. If not, then must agriculturists of the Eastern States become slaves to unremitting toil that the immigrant may continue to have a 160-acre farm given to him and the land speculators and money lenders continue to fatten. I have spoken plainly. I have meant to be only fair and just. Let me admonish you, my fellow-farmers, that if this scheme is to be defeated, you, every one of you, must move and move now. If you belong to the Grange, have that body send a petition to your Congressmen and to your Senators. If you do not belong to any farm organization, write a letter yourself to your Congressman or circulate a petition in your neighborhood. You can at least do something. Do it. Do not neglect it, or the Lord have mercy on all farmers and on farming for the next hundred years to come.

When you make this demand for justice and right, insist that in the future no Government land shall be disposed of for less than \$10 per acre, and that when there is a demand for it at that price the Government may sell it to actual settlers and to no others, and that the money received for the same be devoted to agricultural schools and colleges. And do not neglect to say that if there is to be any irrigating scheme going on at the expense of the Government, there is more need of its being done for the farmers in the Eastern States that have had their business practically ruined already than the West might prosper, than there is of spending the money in the West, where a man may still have a farm for the asking.

Mr. NEWLANDS. Mr. Chairman, I yield five minutes to the gentleman from Nebraska, Mr. BURKETT.

Mr. GROSVENOR. Mr. Chairman, I believe I have, under the order of the House, the right to extend my remarks in the RECORD.

The CHAIRMAN. Under the order of the House the gentleman has the right to extend his remarks in the RECORD. The gentleman from Nebraska, Mr. BURKETT, is recognized.

Mr. BURKETT. Mr. Chairman, I do not know that I can conclude just what I have to say in five minutes. I therefore ask unanimous consent to conclude my remarks. I think possibly ten or fifteen minutes will be sufficient.

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent that he may proceed for fifteen minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BURKETT. Mr. Chairman, I have listened for a day to the discussions upon this bill and it might be well for us, before we lose ourselves in a good many proposed amendments, to get back and consider this proposition from a practical standpoint. It has been developed from the discussion that west of the one

hundredth degree of longitude in the United States there is a territory that in extent is a mighty empire. Its plains are covered with nature's beautiful carpet, its hillsides are clothed in forests, its valleys are rich, and its mountains are filled with precious metals.

In acres and square miles it equals the whole of Europe, as some one said; its natural resources, if properly husbanded, would sustain a population twice that of the United States, has also been asserted, and yet in all that vast domain the reclaiming hand of man has scarcely touched. Here and there, perhaps, a venture-some son of the East has gone and reared for himself a habitation, or an occasional uncovering of the treasures of nature in the bosom of the earth has builded a city, but in the main that country remains to-day as we found it an hundred years ago. There it lies, unknown and barren, only waiting the hand of man to reclaim it. It is estimated that in that region there are a hundred million acres—equal to three States the size of Iowa, as large as all New England—that can be irrigated. I think of what that means to the homeless people of America in the overcrowded centers of population. I think of what it means to the young men of succeeding generations, the opening up of that great territory. I think of what it means as a market for the manufacturing of this country.

I dare not estimate the value to those States in particular, and to the whole of the United States in general, of the provisions of the bill that is now under consideration. One hundred million acres of land. Every foot of it level, fertile, and productive soil. It will make homes for a million and a half of families, and sustain a hundred millions of people. It will make new mining projects possible. It will give forage to additional thousands of cattle that will pasture the adjoining hills. In short, it will plant west of the Missouri a mighty empire, rich, powerful, and prosperous, under the American flag, loyal to American institutions of government, devoted to the United States and her interests, and patriotic for the upbuilding and development of the old Republic that we all love so well.

Sirs, in supporting the bill for national aid to irrigation I do it in behalf of the thousands of homeless children in the United States, in behalf of the toiling masses who go home at eventide to a fireside that is not their own. Aye, sirs, for the many of old and young who, if called to a reckoning now, have not a foot of soil that they can call home. I speak in behalf of the wage-earner, that his opportunities may be multiplied as new territory is opened up and new industries established. I speak for the manufacturer, ever alert for new markets. I speak for the farmer and the farmer's son, who, pinched and crowded in the old homestead, are asking for an opportunity to help build up another State, as they have their own. I speak for the miner who delves the mountains in his hazardous and perilous undertaking to replenish the treasury of the world, that he may be surrounded by civilization and assured of the necessities of life. I speak as a Western man, thoroughly alive to the needs of the West and anxiously intent upon her upbuilding and development. And yet I would not permit local interest to deter me from doing, or to drive me into doing, that which I conceive to be inimical to the best interests of the whole commonwealth.

This country is one homogeneous whole; one socially, politically, and commercially. The things that make for one make for all. To be sure, some particular legislation may be of more benefit to one locality than to another, but what helps materially one community injures none in the end.

I have supported a protective tariff all my life, perhaps on some things from which I drew no direct personal benefit, but as I protected some industry and builded up somewhere a labor market for idle hands I have helped indirectly every citizen in the United States. The things that are for the betterment of mankind anywhere in this Republic of ours are for the good of the whole of it.

For a hundred years we have been pushing out into unknown territory and reclaiming it for the benefit of our people. George Washington, in his time, surveyed lands and pushed settlements across the Allegheny Mountains. The Ohio Valley was settled, and in due time the rich valleys of the Mississippi and of the Missouri were invaded and reclaimed for the benefit of humanity. Onward and across the Missouri, up the valley of the Platte, went the outriders of the nation, taming and subduing, civilizing and reclaiming, as it were, from wild nature the soil and the elements for man's good purposes. Countless treasure we have expended in surveying and exploring every step of the way. We speak of this expense, and yet, sir, every step from the Atlantic as we have moved on across the continent, we have been expending the money of the Treasury of these United States. We have bought out the rights of the Indians; we have assisted railways; we have builded highways and canals; we have improved our rivers and our harbors; we have established post-offices and erected public buildings. Yet, sirs, there can be found in all the length and breadth of this land no man to criticize that work,



for a nation can have no loftier motive for its acts than to encourage home building for its people.

This bill that we now have before us is only another step in this direction. It looks only to the harnessing of another element that heretofore the people of this nation have not reckoned with, and making it do duty for man's well being. I call the attention of the gentleman from Ohio [Mr. GROSVENOR] to this. If the blasting out of the rock in New York Harbor in aid of commerce owned and controlled by private enterprise is a governmental function; if extending aid to the great transcontinental transportation companies that opened up and made accessible the Western half of our country and brought the Golden Gate in touch with the Eastern marts of commerce was a governmental function, then to my mind the subduing of the mountain torrent for man's use, thus bringing together the water and the soil, is not only a governmental function, but it is a governmental duty.

I have stood by the Platte River in the springtime, as the snow waters from the mountains, extending from hill to hill across a broad and fertile valley, rushed on to the ocean, a raging torrent, a mighty engine of destruction. I have watched where that river pours itself a great sea into the Missouri, and from thence I have listened day by day to the dreadful tales of misery, suffering, and pestilence that it carried to the people all along the way as it hurried itself to the Gulf. I have read the "Break in the dike," and have learned of the peril which awaits thousands of people, and of the destruction so inevitable to millions of property, because, sir, that mighty beast of the springtime, that roaring, raging torrent goes on uncurbed. I have looked up to see how much money we have been expending to protect the banks of the Mississippi River in Mississippi and Louisiana from floods, and I find that over forty millions of dollars have been appropriated to the Mississippi River Commission alone.

Now, sir, that is a dreadful picture of suffering, of want and desperation there in certain seasons of the year. But just stop and turn your eyes if you can, to another picture that we might draw. It is higher up the stream. It is nearer the fountain head and of a different nature, but it is no less dreadful. It is in western Nebraska, Kansas, Wyoming, and Montana during the month of August. The sun is shining forth his fairest. His rays are delving their deepest and are warming the tiniest roots of vegetation. All nature, save in this one particular, seems to be vying with itself to make plenty and happiness in the land, but there is lacking of moisture. Through man's neglect it has been permitted to waste. Those streams once torrential are now dry and there is not water to supply the land. The ground bakes. The verdure writhing in the sun curls and twists its life away. Sirs, the thought must come to you, as it has so often come to me, surely there never was intended to be such waste in nature. That water which only a few months before, in its anxious rush for an early playtime in the ocean, had destroyed so much of life and property was intended for better purposes and should have been restrained from going until it performed its mission. If it had been held back in the springtime and turned loose now how the flooded districts down there would have appreciated it then, and how the parched districts would appreciate it now. From this all comes the injunction that man must husband the resources of nature for his own betterment and edification.

The value of a stream for irrigation purposes is measured by its flow at its lowest stage. A stream might run bank full nine months out of the year and half as much during the other three, but it would be estimated for irrigation purposes only by its lowest point. Streams that go tearing down the valleys in April, May, and June, leaving death and destruction in their wake, are contracted to little rivulets in July and August. If the Government can aid in storing the water that goes to waste in the spring, either by dams or reservoirs, and turn it loose in the critical months, and thus raise the lowest mark of the river, the value for irrigation will be increased. This is the object of the bill that is now under consideration.

The pending bill is not extravagant in its terms. It does not call for large drains from the Treasury. In fact, it only asks that money coming from the sale of lands in those States in which irrigation is necessary shall be set aside for irrigation purposes, or to quote its language:

That all moneys received from the sale and disposal of public lands, \* \* \* including the surplus of fees and commissions in excess of allowances to registers and receivers, and excepting the 5 per cent of the proceeds of the sales of public lands in the (named) States set aside by law for educational and other purposes, shall be, and the same are hereby, reserved, set aside, and appropriated as a special fund in the Treasury, to be known as the reclamation fund, to be used in the examination and survey for and the construction and maintenance of irrigation works for the storage, diversion, and development of waters for the reclamation of arid and semiarid lands in the States and Territories and for the payment of all other expenditures provided for in this act.

It then provides how the work shall be prosecuted; how the Secretary of the Interior shall make examinations and surveys

for and locate and construct irrigation works for the storage and development and diversion of waters.

This is not too much to ask of the Government, in our opinion. Those States simply ask that the money coming from them be used in them. They do not ask that the money be given to the States for the States to expend. The bill does not call for any cession to the States of the Government holdings. The Government shall retain every acre, dispose of it when and as it sees fit, and collect every dollar and expend every dollar of the proceeds. In short, we ask that the Government shall improve its own property in those States only to the limit of the income it derives from the same property. No fairer bill was ever presented for the consideration of Congress. We have expended money by the millions in river and harbor improvements that was collected in taxes from the whole country. The West has paid her share uncomplainingly. She has realized that harbors must be built that her products may go to market. Money and property have been granted for the extension of the many great means of commerce. Certainly, then, it is not too much to ask that the Government improve its own property for its own good and the welfare of every American citizen.

There may be faint hearts in this as there are in all great undertakings. To some the project may seem so large as to be alarming. To some who have traveled from the Missouri River to the Pacific the task may seem not only an endless one, but an impracticable one. But to those it may be said that all the land in those States can never be reclaimed. The mountains and the hills can not be reached. It is the fertile valleys that is contemplated and that should be made to blossom with the productions of man's handiwork. Neither is it intended or expected that the work of reclaiming the arid lands shall be accomplished in a year, nor perhaps in our lifetime. It is not best, perhaps, that it should. The work should go on only so fast as the land is needed for the actual home builder. Every safeguard has been thrown around the bill to make it impossible of speculation. Water rights are limited, acquisition of land is limited in amount, and the bill specially provides that—

Beneficial use shall be the basis, the measure, and the limit of the right.

I might say in passing, for the benefit of those who are unfamiliar with the real origin of this particular bill, that it is the combined judgment of men who have given time and attention to the subject, or perhaps, to better express it, that it is the compromise of contending opinions upon the question. It is the bill of the united West. It perhaps is not exactly anyone's bill. It goes further than some would have gone in some particulars, and on the other hand falls very far short of where others would have it go in other particulars. Some thought that the Government should, on its own account, without regard to any particular source of the money expended, proceed to irrigate and reclaim the West.

That there should be Federal construction and control not only of the reservoirs, but over the great ditches and the laterals; that the water should be furnished to the individual. Others believed that the Government should do nothing more than conserve the waters and turn it into the stream at the proper seasons, to be appropriated as the water now is appropriated. The result is a harmonizing of the two ideas, while preserving the strongest features of each. The Government probably could not undertake to distribute the water to the user, for conditions of water use will vary in different localities. The law that would be appropriate in one community or in one State might not be adequate in another condition. Distribution should be left to individual enterprise, and in the main should be regulated and controlled by State laws and by State boards of engineers.

On the other hand, States could not undertake the work of conservation of water for the reason that the water might be in one State and the land to be reclaimed might be in another. The rivers may, as they actually do, rise in the mountains of California, while the lands to be irrigated are down on the plains of Nevada. The source of water may be on one side of the watershed and the irrigable lands may be on the other side of it and in another State. Thus an irrigation proposition may or may not be coextensive with State lines. Topography has not always controlled in making our geography, but geography is quite as much a question to be solved in irrigation as is topography. Political divisions must be reckoned with, for State lines have been established more often by parallels of longitude and latitude than by mountain crests and physical conditions.

Then, too, land in one State may be irrigated for one-half what it could be irrigated for in another State from the same water supply. Economy demands that the general supervision should be of common origin. The Federal Government is of right and necessity the great arbiter.

I remember the other day of hearing a very pleasant and scholarly gentleman, and a very valuable member of this House, stand

up and say that he spoke for the farmers of his State against this irrigation measure. He asked, Where is humid America to profit by this bill? But I do not believe his mature reflections will sustain his position. The gentleman from Ohio [Mr. GROSVENOR], who has just spoken this morning, opposes irrigation, as he says, because it is an injustice to the man who owns a farm farther east. But, sirs, I ask the gentleman from Ohio, is it an injustice to the many, many times more men who own no farms at all? Let the gentleman from Ohio go home and tell the laboring men of his district why he should legislate to send up the price of land for the man who owns a farm and not give the man who owns no land at all any chance whatever at a parcel of the bosom of mother earth.

I deny that it will in any way injure the landowner. But, sirs, if it did build up for him a competitor without a compensatory consumer, I ask when in the history of this great national legislative body did we become the special protectors and guardians of the man who hath to the exclusion and detriment of the man who hath not? [Applause.] Let me ask the gentleman from Ohio, is it an injustice to the man of moderate means to develop territory and open up and make available more land for settlement? Is it an injustice to the manufacturers of his district who have sent in here thousands of petitions that they may have more markets for their wagons and their corn plows, their reapers and thrashers, and their furniture? Is it an injustice to the labor that constitutes three-fourths of those manufactured articles? Is it an injustice to the railroads that he spoke of that have pushed across the continent into those barren wastes, full of faith and confidence in the Government to reclaim its own land for its own people in due time?

The labor organizations of this country have asked for the passage of this bill. The manufacturers have asked for it, and from every State have come the petitions asking for the enactment of a law along these lines. The American Federation of Labor indorse it. Every member, perhaps, in this House has had a letter and a copy of the resolutions passed by the National Building and Trades Council. The following organizations, among many, indorse it:

The United Mine Workers of America,  
The Chicago Federation of Labor,  
The Illinois State Federation of Labor,  
The National Business League,  
The National Board of Trade,  
The National Association of Manufacturers,  
The National Association of Agricultural Implement and Vehicle Manufacturers,  
The National Association of Wagon Makers,  
The New York Manufacturers' Association, and  
The National Association of Merchants and Tailors.

I find there have been introduced only this morning resolutions asking for the passage of an irrigation law from the following organizations:

The New England Shoe and Leather Association,  
The Commercial Club of St. Paul,  
The Central Labor Union, of Hartford, Conn.,  
The United Brotherhood of Carpenters and Joiners of Pittsburgh.

The Trade and Labor Federation of New Brunswick, N. J., and  
The Brotherhood of Locomotive Firemen of Lehigh, Pa.

And if we would search the records of this session we would find that every member of this House has introduced a resolution from some portion of the people of his district asking for this legislation.

Let me call the attention of gentlemen of this House to the fact that the demand for this legislation does not come from the West alone. There are too few of us out there to make this mighty clamor. We may be noisy, but we are not numerous, and you do us too much honor when you give to us the credit for this mighty wave of public clamor. Follow it back to its source. You may get your wires crossed, but trace the current back and you will find it originating in the factories and in the mills, in the labor organizations, and in the farmers' institutes. That is where this clamor is coming from. Sirs, at noon hour with his fellows and at evening with his family around his fireside the man without a home is talking of this very proposition. It may carry little of hope to him individually, for his circumstances may be such that he can not avail himself of it, but there is a boy and a girl, the pride of his eye, the devotion of his heart, the objects of his love, whom he longs to see installed in a home of their own. In his reveries there comes to him the environs of nature, the freedom of breath, the fullness of strength, the boon of health, and he indulges no fonder hope than that such pleasures and opportunities may come to his offspring.

Men of the East, make no mistake in measuring public sentiment in your community. I have here petitions from almost every town in the length and breadth of this land. They have been filed with the Committee on Irrigation. They come from

the manufacturers everywhere and the labor organizations. So, I say, make no mistake in measuring the public sentiment in your community. A man with a horse may be the only man who can ride, but he can not darken covetous eyes, and he will never be able to take away the desire of other people to ride. But I deny that irrigation will injure any farmer anywhere. Irrigation does not mean one single bushel of grain in competition with the farmer of Ohio and Pennsylvania, in my judgment. This is true, first, because the man on irrigated land could not afford it, and second, because the markets could not afford it. Let me explain more at length. No man can farm irrigated land and supply water artificially and compete with another who farms land supplied with moisture by nature. Some one may suppose they can, and say they raise so much more that it pays, but, sirs, it will not stand competition. If it did, why is there not irrigation in humid territory? On the one hand nature supplies all the elements, on the other one must be added by man.

Staple products in Ohio and Pennsylvania that are produced at a profit would be raised at a loss on irrigated lands. If irrigated lands are made profitable, something specially adapted to those conditions must be raised. Hence those things that need much water for maturity or those things that mature quickly and produce many crops each season only are produced. Thus we find citrus fruits and alfalfa are the principal crops of irrigated lands. Every ear of corn and every spear of oats that will ever be planted on these lands thus reclaimed will be consumed in that region. Aye, more than that. They will be consumed on the very ground where they are raised. Nothing of cereals will be shipped out; but, on the other hand, much will need to be shipped in. A man who owns and manages a grain elevator in eastern Nebraska told me last summer that in two years he had shipped little of oats or corn East. Most of it had gone into Wyoming or Montana, where irrigation had made more men and more horses and more cattle. It has added a market to us in Nebraska. Our farmers are not afraid of it, and why should you of Ohio and New York and Pennsylvania, a thousand miles away, be alarmed?

As those valleys are irrigated and more fodder is produced for winter feeding, more cattle will pasture in the hills adjoining. This also means more people in that vicinity, more towns and villages, and this means a larger market, not only for the farmers' products, but for everything that is produced by the brain or muscle of man. I have gone across the continent; I have gone into the irrigated regions of Wyoming and Montana, Utah and Colorado, and the things there used all come from the East. There are no manufactories to speak of in arid America. The wagons, the planters, the plows, the harness, and the saddles, aye, the furniture in their houses, all comes from this side of the one hundredth meridian of longitude. I have seen the trade-mark of a Wisconsin firm on their wagons, of New York and Massachusetts manufacturers upon their clothing. The great saddles they rode in were made down in eastern Nebraska or farther East.

Some gentlemen from the grand old "Keystone" State oppose this bill, but let me call their attention to what some of the strongest and most influential of the press in the country and located in Pennsylvania say right in this line. First, I read from an editorial in the Philadelphia Inquirer of a recent date on the subject "For the irrigation of the arid lands:"

Only one argument against this legislation has ever been seriously advanced, which is that its effect would be to intensify the already sharp competition against which the Eastern farmer is obliged to contend. There is very little force or merit in that objection. In the first place it would be difficult to prove that the Eastern farmer would be in the slightest degree affected, and even if he were that would be no reason why a work of national benefit should not be undertaken. An enforcement of the same reasoning would have nipped the national expansion in the bud.

The irrigation of the arid West is an improvement of the greatest importance, whose inception has already been delayed too long. It is gratifying to know that there is a present prospect of its early realization.

I also have here an article from the Philadelphia Press, a part of which reads as follows:

There are always vital considerations against a new departure like this that should be carefully weighed before the decisive step is taken. There is, however, one objection made to the irrigation bill that we can not respect. It is urged in the minority report, and it is elaborated and insisted upon by Congressman SIBLEY, of this State, in opposing the bill. It is that it is unjust to Eastern farmers for the United States to add millions of acres of productive lands to our national possessions and thereby "diminish the value of the present farming lands throughout the Union."

This is an old argument. It was used by the mossbacks of one hundred years ago against every proposition to develop our then Western territory beyond the Alleghenies and to improve the means of communication between the East and West. It was used as an argument against the Louisiana purchase, which added millions of acres of productive land to the national domain. The theory of this class of objection is that the greater the country, the larger the area of its productive land, the poorer each individual farmer must be. A single oasis in an enormous unproductive desert would be the ideal happy land for such people.

We do not believe that any considerable number of Eastern farmers are so ignorant as to be influenced by such arguments. If he who makes two blades of grass grow where one grew before is a public benefactor, then is not a government an enormous benefactor to its people if it changes waste lands into blooming gardens and fruitful fields and adds so much to our productive territory that the United States, which is already producing enough to feed itself and a part of Europe, shall become the granary of the world?



How much more time have I, Mr. Chairman?

The CHAIRMAN. Three minutes.

Mr. BURKETT. Something has been said here about the competition that will come to the Eastern farmer, and I wanted to refute the argument somewhat. I should liked to have gone into that matter further. But, sir, let me close now with this one thought: The people of this country are pushing out for markets. That entire region is a market for the products of humid America, and in turn they ask us to take only their gold for money and their cattle to fatten; neither of which is competition for an Eastern farmer—the one he can not and the latter he would not. For it is more profitable to make cattle ready for market in the East than it is to produce them.

Agricultural America is the market place for manufacturing America. Ohio and Pennsylvania find markets for their manufactured wares in the Mississippi and Missouri valleys. We want to give them still more territory. We want markets. We have gone around the world in quest of markets. Markets! markets! has been the watchword of the Republican party ever since it raised its head in the cradle of liberty for the protection and betterment of mankind. We have protected home markets and have sought out new ones abroad. We have sent American consuls into every capital in the world to look up markets. The English lord dines on corn-fed beef from the valleys of the Ohio and the Missouri instead of Southdown mutton exclusively. Our American hog has marched triumphantly up the streets of Berlin—I believe he does have to carry with him a certificate of cleanliness and good health, but then he goes just the same. We have expended untold millions to develop markets for American products. We have sent Old Glory around the world on a mission of mercy and civilization. We will keep it there for those two good reasons, and incidentally we hope it may help our Eastern trade.

But, sirs, I ask you, is Asiatic trade better than trans-Mississippi trade? Would you rather sell a wagon, my friend from Wisconsin, in China than in Colorado? Would you, my friend from Ohio, where you make good bridges, would you rather sell a bridge in Egypt than in Wyoming? Would you, my Pennsylvania friend, prefer making engines and railroad iron for Russia and England and Jerusalem than for Utah, Montana, California, Wyoming, Kansas, and Nebraska?

Gentlemen, this question of irrigation must be met. Governmental aid must come and it will come. The Government owns the lands and upon them there are collectible no taxes for State purposes. The entire revenue from these lands goes into the Federal Treasury, and I believe it is the duty of the Government to help reclaim them, at least to the extent of revenue derived from them. The pending bill provides for no more and it could ask for no less. It is an important measure to the West, but it is even more so to the East. What people are out there can live, but, sirs, if the country is to be settled up and become of any value to the East, some such measure as this must pass. [Loud applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. ROBINSON of Indiana. Mr. Chairman—

Mr. REEDER. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. REEDER. I move to strike out the last word.

The CHAIRMAN. The gentleman from Indiana is recognized in favor of the pending amendment.

Mr. ROBINSON of Indiana. I ask unanimous consent that I may have ten minutes.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that he may proceed for ten minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. ROBINSON of Indiana. Mr. Chairman, some reference has been made to the influences prevailing in favor of this measure. I challenge the advocates of this bill to show that the principal promotion is not by the great railroads of the Northwest. Look in your mail of this morning. See the speech of James J. Hill, president of the Great Northern Railway Company, delivered June 4 in Chicago, and read its statements for proof. Read the discussion and statements appended by the gentleman from Nevada a few days ago, and tell me if the railroads are not the principal promoters of this measure.

Mr. SHAFROTH. Will the gentleman yield to me for a moment?

Mr. ROBINSON of Indiana (continuing). I only need to cite a synopsis of the address of Mr. Hill, at Chicago, on commercial expansion:

Part of the railroads in building up the country—Their property bound up with that of the people they serve—Powers of the Interstate Commerce Commission—Danger of additional powers suggested—Railroads helping to capture for America the commerce of the Orient—Combination of capital needed—Law now to control the only dangerous trusts—Irrigation needed to enlarge the public domain.

So, from all the discussion, tracts, and public documents, every one that lifts up his head as a specialist on irrigation shows that

the great railroad combinations are the promoters of this bill. The gentleman from Ohio [Mr. GROSVENOR] has presented an amendment which seeks to save the agricultural colleges of every State of the Union from the attempt made by irrigation projectors to destroy them altogether.

Among the active promoters of this colossal undertaking we find the proverbial—the good, the bad, and indifferent.

The land-grant subsidized railroads—submerging the main-spring of their action, the increase of the value of their land subsidy—urge as a principal reason for it that it will furnish products for our expanding trade in the Orient, and thereby, of course, arguing that it will not adversely affect the farmers of other States.

An argument for trade expansion in Asia now from a political standpoint is an argument for territorial expansion in the Philippines. It does not require a careful observer of political events to discern the effect of the Government going out of its way, at a great expense, fitting these lands for culture to aid in the exploitation of China and the Orient; but how will you explain to the farmers of your States, whose only protection against these new fields forced open by irrigation at their expense is the railroad charge levied against them when they seek to get their products to the place of competition?

As stated by General GROSVENOR, it forecloses any future endowment of agricultural and mining colleges of States in the only way it can safely and constitutionally be done—out of the public-land fund. Each of the State colleges now receives out of the public-land fund, under the so-called Morrill Act of 1890, \$25,000 per annum, and for agricultural experiment stations, under the act of 1887, each State receives annually out of this fund an additional \$15,000.

A bill introduced this session by the gentleman from Ohio [Mr. GROSVENOR] was recently favorably reported from the Committee on Mines and Mining by the gentleman from Kansas [Mr. SCOTT] giving an additional sum of from \$10,000 to \$20,000 to the respective State colleges to promote agriculture and mining.

This measure has the support of our college presidents, our State agricultural societies, and the International Mining Congress, all of whom have sent us petitions earnestly asking us to secure its passage.

Mr. BARTLETT. Will the gentleman from Indiana yield to me right there?

Mr. ROBINSON of Indiana. I must first yield to the gentleman from Colorado. I will yield to both gentlemen later on.

PURDUE UNIVERSITY, PRESIDENT'S OFFICE,  
Lafayette, Ind., April 3, 1902.

HON. J. M. ROBINSON,  
House of Representatives, Washington, D. C.

DEAR SIR: Replying to your letter of March 29, in which you inquire particularly as to the possible benefits to Indiana of the passage of the bill creating schools of mines and mining, I would say, as I pointed out in my previous letter, this would enable Purdue to establish a school of mines and mining by providing for instruction in all of the subjects specially required in such a school, while utilizing the equipment and instructors which we already have for the teaching of such subjects as mathematics, physics, chemistry, drawing, shop practice, etc. In effect, it would give the State the benefit of a fully equipped school of mines, which would otherwise cost a large sum to establish, but which under these conditions could be had at a total additional cost of from \$10,000 to \$15,000 per annum.

Now, as to the value to the State of such a school: It would enable us to train young men in the science and technology relating to the exploration and development of such very important industries to the State as depend upon its resources in the way of coal, building stone, oil, gas, cement, and clay, which, next to the farming lands, are the most extensive and most valuable interests of the State. I think there can be no doubt but that the intelligent training of men for these particular industries will react to the benefit of the State. Moreover, the establishment of such a school will, under the terms of the bill, enable us not only to train students as indicated, but also to carry on research, make analyses, and publish results free for the use of the citizens of the State.

Very respectfully,

W. E. STONE, President.

INDIANA STATE BOARD OF AGRICULTURE,  
Indianapolis, Ind., February 1, 1902.

This is to certify that at regular meeting of the Indiana State board of agriculture, held at the statehouse in Indianapolis, at which all the members were present, the following resolutions were introduced by Hon. Mason J. Niblack, seconded by Mr. David Wallace, and unanimously adopted, to wit:

"Whereas the acts of Congress of 1862, 1887, and 1890, establishing and aiding colleges and agricultural and mechanical arts, and agricultural experiment stations in the various States of the Union, have resulted in such usefulness to the productive industries of the country; and

"Whereas in our own State of Indiana the benefits of this legislation, as demonstrated by the work of Purdue University, have been exceptionally great:

"Resolved by the Indiana State board of agriculture, That the bill now pending in Congress, known as H. R. 8375, proposing to enlarge the field of usefulness of the land-grant colleges by establishing in them departments of instruction and research in mining, forestry, agricultural engineering, etc., has our strongest indorsement and approval, and that this body requests the Senators and Representatives from Indiana to give the same their active support.

"Resolved, That the secretary of this board be instructed to transmit to each Senator and Representative from Indiana a certified copy of these resolutions."

A true copy.

CHAS. DOWNING, Secretary.

THE UNIVERSITY OF KANSAS,  
DEPARTMENT GEOLOGICAL SURVEY,  
Lawrence, January 25, 1902.

DEAR SIR: At the fourth annual meeting of the International Mining Congress held last July at Boise City, Idaho, a resolution was unanimously adopted memorializing Congress to make an appropriation for the establishment and maintenance of mining schools, or mining departments, in the several States and Territories of the Union. A committee on legislation was appointed to present the matter to Congress. This committee begs leave to submit a few thoughts germane to the subject.

First. For more than forty years it has been the policy of the Federal Government to assist State educational institutions by the establishment of State universities and State colleges of agriculture and mechanic arts, and subsequently by establishing the agricultural experiment stations which are now supported by annual appropriations.

The passage of this bill will not only cut off any future endowment of our colleges, but in a few years' operation it will be found to have effectually, by the force of circumstances, destroyed all bounty to them from the national source, except it be granted by a direct appropriation out of the United States Treasury.

This method will always be deemed unwise, and I believe unconstitutional, the constitutionality of which action is at least a question not yet satisfactorily settled in view of the recent upheavals on constitutional construction. This bill, drafted exclusively in favor of its irrigation objects, shrewdly provides that irrigation shall be on the safe side of the question, and makes the fund for its promotion out of the sale of public lands, leaving our agricultural and mineral colleges to the doubtful expedient of running counter to a strong sentiment and constitutional construction and getting their money by a direct appropriation from the United States Treasury if by reason of the depletion of the fund by arid-land projects it shall be found insufficient to supply our State colleges.

This bill affects us all adversely who are outside the arid sections. It is no more selfish in us to claim a cordial and continuing support of our splendid agricultural and mineral colleges of our States. Let us have a use of our public lands at home. They tell us they are legislating for our people. We are satisfied with the legislation we have already with the funds of thousands that we receive for our colleges from the sale of public land, and with the continuing appropriations which are bound to come to us if you do not destroy, for your own selfish benefit, the source of its supply.

We do not need the legislation that you propose in the great work our State colleges are doing to equip competent men to develop our agricultural resources and the products of our mines. You strike a blow at the heart of our established systems and you ask us to pull down the pillars of the temples in which we live and thrive and flourish.

Last year, out of the sale of public land, we drew from the fund of the United States, which you seek to divert, \$1,200,000 for our colleges, and the additional sum of \$720,000 for experimental work in agriculture and mining. In this way all get a benefit from the land that belongs to all.

Mr. NEWLANDS. Does not the bill first provide—

Mr. ROBINSON of Indiana. I must yield first to the gentleman from Colorado and then to the gentleman from Georgia, and then I will yield to the gentleman from Nevada.

Mr. SHAFROTH. Will the gentleman yield to me now?

Mr. ROBINSON of Indiana. No; I can not.

If the Government, by unusual and expensive means and experiments, is to go out of its way to control utilities and lands, and laws and powers of States too weak to rule themselves, I would think the power could as well be used and exercised for the building of good roads throughout the States, for the reclamation of swamp and lake lands in the States, and my section will furnish a field for this, where I can promise more land reclaimed for a less cost to the United States Government than can be found in the provisions of this bill. But, sir, the people of Indiana will not forfeit their State prestige by asking for it, and we will not ask you to expand the "general-welfare" clause to grant it, living and abiding in the hope that we may never surrender the powers and rights of our State by supplicating for this unheard of and doubtful Federal benefaction.

By the joint action of legislatures of Indiana and Illinois we reclaimed untold thousands of acres of land, and I commend the strength and virtue of these two legislatures to my friends as an evidence of concert of action by States in needed improvements. Counties by joint action drain thousands of acres of waste land, as your land will be watered when the needs and demands enforce the action. It is a confession of impotency in State government or lack of virtue in legislatures to ask the Federal Government to take charge of the polity and administration of State affairs.

Mr. Chairman, it is a measure deflecting immigration from the Southern States, to which it is going now, and sends it to States to the lands of which are to be added this value by this unconstitutional and dangerous measure. Now, I will yield to the gentleman from Colorado for a question.

Mr. SHAFROTH. I want to call the attention of the gentleman to what he was stating at the time I interrupted him.

Mr. ROBINSON of Indiana. I recollect it perfectly well. I hope the gentleman will make his question short.

Mr. SHAFROTH. The gentleman stated the promotion of this matter was by the railroads, and I want to ask the gentleman whether or not he thinks there was any railroad influence that had its influence upon the delegates of the Republican and Democratic national conventions that made them indorse the measure that was put into those platforms.

Mr. ROBINSON of Indiana. I stated yesterday that the gentleman's bill and report providing for cession of lands to States was the only measure before those conventions, and that those conventions well might have had his proposition before them, as it was the only one before the Congress.

Mr. SHAFROTH. I want to say to the gentleman that—

Mr. ROBINSON of Indiana. The gentleman can make his explanation in his own time. Now I will yield to the gentleman from Georgia.

Mr. BARTLETT. Mr. Chairman, I am interested in the effect that this bill and this amendment will have on the matter proposed, and on the agricultural colleges and the experimental stations. I do not want to take the gentleman's time, but I do want information. I want to know if this bill passes without some express provision in it like that offered by the gentleman from Ohio, what will be the effect on the agricultural colleges and its experimental stations? I know the gentleman from Indiana can make it clear.

Mr. ROBINSON of Indiana. This irrigation bill provides, from line 8 to line 20, page 2:

That in case the receipts from the sale and disposal of public lands other than those realized from the sale and disposal of lands referred to in this section are insufficient to meet the requirements for the support of agricultural colleges in the several States and Territories, under the act of August 30, 1890, entitled "An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts, established under the provisions of an act of Congress approved July 2, 1862," the deficiency, if any, in the sum necessary for the support of the said colleges shall be provided for from any moneys in the Treasury not otherwise appropriated.

Mr. BARTLETT. Suppose there is this deficiency, and it becomes necessary to provide for agricultural colleges, and Congress is to make the appropriation, it rests upon the will of Congress when proposed as to whether it will make that appropriation or not.

Mr. ROBINSON of Indiana. Yes; but Congress has refused to make appropriations directly out of the public Treasury for projects like this, as it has always refused to make appropriations, many millions of which could be used for good roads and the reclamation of swamp lands, of which I have many in my district.

Mr. NEWLANDS. Now, will the gentleman yield to me?

Mr. ROBINSON of Indiana. I will.

Mr. NEWLANDS. Is the gentleman aware that ever since the passage of the act providing for agricultural colleges appropriations for these colleges have been made out of the general Treasury, and that—

Mr. ROBINSON of Indiana. Hold on; that is one question.

Mr. NEWLANDS. Let me complete my question.

The CHAIRMAN. The time of the gentleman from Indiana [Mr. ROBINSON] has expired.

Mr. ROBINSON of Indiana. Mr. Chairman, I ask unanimous consent for five minutes more.

Mr. NEWLANDS. Well, we shall object to that.

Several MEMBERS. Oh, no.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to proceed for five minutes more. Is there objection? The Chair hears none.

Mr. NEWLANDS. Now, Mr. Chairman, I want to ask—

Mr. ROBINSON of Indiana. I heard the gentleman's first question.

Mr. NEWLANDS. I ask the gentleman whether it is not a fact that when the Oklahoma free-home bill was passed, the agricultural colleges were solicitous regarding their existence; and that danger was guarded against, just as it is in this bill, by the insertion of a provision that if there should be any deficiency in the proceeds of the sales of the public lands, the deficiency should be made up out of the public treasury. Now, is the gentleman aware that the agricultural colleges have had a committee here during this winter, and that that committee has been in conference with us with respect to the shape of this provision, and that they are absolutely satisfied with it?

Mr. GROSVENOR. Allow me to state that I am the author of the bill referred to, and the friends of that bill are not in favor of this bill. They are afraid that the effect of this bill will be to destroy the possibility of any further aid to the agricultural colleges.

Mr. NEWLANDS. The gentleman is speaking of a bill with



which we are not now concerned—a bill which has not yet come up.

Mr. GROSVENOR. Mr. Chairman—

Mr. ROBINSON of Indiana. I hope the gentlemen will not take up my time.

Mr. GROSVENOR. I will secure additional time for the gentleman.

Mr. ROBINSON of Indiana. The gentleman from Nevada was about to object to an extension of my time for five minutes, so I hope this interruption will not result in my losing the time I am now entitled to.

Mr. GROSVENOR. This bill provides—

The deficiency, if any, in the sum necessary for the support of said colleges shall be provided from money in the Treasury—

When? When some Congress sees fit to make the provision out of the Treasury. That is all.

Mr. ROBINSON of Indiana. That is the provision I read.

Mr. NEWLANDS. Does the gentleman from Ohio deny my statement that the agricultural colleges are satisfied with this bill?

Mr. GROSVENOR. I do. The Ohio State University is protesting against this bill.

Mr. ROBINSON of Indiana. Now, will the gentleman from Nevada [Mr. NEWLANDS] be kind enough to listen to my answer to his three questions? In form, the appropriation may be made out of the general fund; in fact, the provision is to be made effective and constitutional by providing that the money shall come out of the funds derived from the sale of the public lands, which has always been the result.

Now, in reference to the gentleman's third question, let me say that the committee is not agreed as to this matter, nor is the college committee satisfied with this emasculating provision in the form presented.

In the hubbub I have forgotten the second question of the gentleman. Will he repeat it? I will yield to him for that purpose.

A MEMBER. It was about Oklahoma.

Mr. ROBINSON of Indiana. Yes; in reference to Oklahoma; the gentleman may say what he pleases on that subject, and if it is borne out by the record I will admit it. I am not one of those narrow men who would submerge all the interests to one idea or one measure. I am not one of those who would look straight ahead at only a single interest, at the risk of others important. I believe, as a Democrat and as a patriot, that we ought to admit as States the three Territories. I stood up for that proposition here, waiving the question of irrigation, because there were other considerations which more than counterbalanced that. But if you pass this irrigation bill, I believe that it will send those three Territories in their hope for statehood into gloomy darkness for ten or twenty years to come.

Mr. BURKE of South Dakota rose.

Mr. ROBINSON of Indiana. I yield to the gentleman.

Mr. BURKE of South Dakota. Will the gentleman state how long, in his opinion, there will be sufficient proceeds from the sale of these public lands to make good these appropriations to agricultural colleges unless something be done to reclaim the remaining portions of our public domain?

Mr. ROBINSON of Indiana. The statements of the gentleman from Kansas [Mr. SCOTT] favoring the additional appropriation proposed by the bill of the gentleman from Ohio [Mr. GROSVENOR] for these great and meritorious objects show the amount of money now derived from that source; and this measure would consume the entire fund.

I do know that the Land Office has run behind at times and in funds as an institution of the Government. I do know that they are promoting this measure in order to save their jobs and get new ones for others. I do know that it will not be very many years that this fund can be provided for the support of our colleges. But I believe the people are willing to surrender their rights, if it comes in the usual course of events, if they have any, with respect to direct appropriations from the public Treasury, rather than pretend that they are doing good to all our people by creating lands at a cost of \$10 an acre to be purchased by the poor people of our country. Categorically, I do not know exactly, is my answer to the gentleman's question as to the time that the funds for colleges will run out unless irrigation is provided for.

Those of course are favoring it who in official departments and bureaus are specialists—specialists of the arid and irrigation variety, good men and wise, but nevertheless specialists—and they have labored exclusively, sedulously, and unremittingly to secure its success. They have trod the straight and narrow pathway, looking neither to the right nor to the left, but straight ahead, with but a single hope and ambition—its ultimate success.

Others in official life outside of Congress follow closely along who have expectation of promotion for themselves or preferment for others, and these are no inconsiderable force.

I was never so forcibly reminded of the charge of the Light Brigade as when it became known that I was opposed to this bill as untimely, unwise, and injudicious. They have flooded us with public documents and discussions that Congress unwisely, in my judgment, gave them the power to inflict upon us.

I exclude, of course, in referring to "promotion," representatives of constituencies who are working for their people, as I work for mine. I applaud their efforts. If they get two score votes on this floor from States unaffected by the special interest involved, they will be entitled to the best crown of glory for their achievements.

This bill involves in large measure immigration—whether we shall adopt a remedy complete and loudly called for by the very interest, labor, for the ills to which you say this is a panacea—for the evils complained of.

By shutting out the great hordes of immigrants from Japan and from the south and east of Europe, who come not to make good citizens for a generation or two, but to lower the scale of wages and living and to eat out the substance of our people and desirable immigrants from the north and west of Europe, you at once divert the argument for more public land of all its force and strength. I see in this legislation an opening up for and an encouragement of those undesirable classes from Japan, the Philippines, and from the south and east of Europe, too many of whom already abound and who are driving out American labor on the Western coast.

The gentleman from Nevada is, as he should be, for Nevada against the world. In all things and at all times he has been her faithful and able representative. He has accomplished for her all that could be accomplished, and none has done more for his constituency.

But his task is difficult, and I am reminded of a picture of Atlas with the world on his shoulders, and see a parallel of the gentleman with Nevada on his shoulders, heavy in land, but light in people. But how can he ask us to give up our interests to serve her exclusively? A Republican has proclaimed through the press, if he is properly quoted, that all the Democrats are favorable. Announcements like this may have emanated from this side, but I doubt it, for it has no foundation in fact, and it bears a suspicious resemblance to an attempt to bunco and frighten both sides by a political dream or hobgoblin that exists nowhere in the realm of politics or on the floor of the House.

Mr. NEWLANDS. Mr. Chairman, I wish to address myself to the amendment presented by the gentleman from Ohio, the purpose of which is to defeat the bill. The gentleman from Ohio proposes to amend the first section of this bill, which provides that the receipts from the sales of public lands in the arid region, comprising thirteen States and three Territories, shall be set apart in the Treasury as a reclamation fund for the construction of irrigation works; by striking out the following proviso:

*Provided, That in case the receipts from the sale and disposal of public lands other than those realized from the sale and disposal of lands referred to in this section are insufficient to meet the requirements for the support of agricultural colleges in the several States and Territories, \* \* \* the deficiency, if any, in the sum necessary for the support of said colleges shall be provided from any moneys in the Treasury not otherwise appropriated.*

And inserting in lieu thereof the following:

But no part of the proceeds of sales of public lands required to carry into full effect the provisions of the act of August 30, 1890, entitled "An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provision of an act of Congress approved July 2, 1862," shall be so set apart or diverted to such irrigation fund.

Now, gentlemen, what will be the effect of this amendment? Its effect will be to make all agricultural colleges a charge upon the receipts of the public lands of the arid region. The receipts from that region now aggregate nearly \$3,000,000 annually and as the appropriations for the agricultural colleges amount to about \$1,000,000 annually, and the amount which would be used for irrigation under this bill will be reduced, if the gentleman's amendment is carried, to less than \$2,000,000 annually.

This is upon the assumption that all the humid public lands outside of the arid and semiarid States will soon be disposed of and that the sales of the future will be made only in the arid and semiarid region.

#### HOW AGRICULTURAL COLLEGES ARE SUPPORTED.

Now, we all know that the original legislation regarding the agricultural colleges provided that the annual allowance should come from the proceeds of the sales of public lands, but, as a matter of fact, no special fund in the Treasury was made of the receipts of the sales of public lands, and it has been the custom of Congress to make annual appropriations for the agricultural colleges from the General Treasury.

This custom will doubtless continue even when the entire public domain is disposed of, for I take it for granted that the Congress of the United States will support these agricultural colleges out of the public Treasury after the land funds are exhausted just as

it has been supporting the Agricultural Department, the experiment stations, the Bureau of Soils, the Bureau of Animal Industry, the Geological Survey, the Coast and Geodetic Survey, and other scientific branches of the Government, and they will do it under the general-welfare clause of the Constitution, which permits almost any legislation that is for the benefit of the country at large.

We all know that the area of the public domain has been greatly diminished in the humid States; that all lands which are watered by the heavens either have been or are being taken up by settlers, and that the public lands in the humid region will soon be exhausted. If, then, the agricultural colleges should remain dependent upon the proceeds of the sale of public lands they will shortly be without revenue, for the bulk of the public domain now lies in the arid region, and it is almost worthless. It will be worthless to the agricultural colleges, it will be worthless to the Government, it will be worthless to the States, and it will be worthless in every sense unless this work of reclamation is commenced. So that these lands constitute no valuable asset of that fund unless the very work of reclamation contemplated by the act is done.

Now, what have we done to secure the future of these agricultural colleges? Why, when the Oklahoma free-homes bill came up, several years ago, and it was proposed to turn over millions of acres to settlers without imposing upon them even the charge which was paid for the lands to the Indian tribes, the agricultural colleges, fearing that their appropriations would be endangered, appealed to Congress to protect them, and the result was that with the consent of both sides of the House, a provision was inserted in the Oklahoma free-homes bill similar to the one inserted in this bill, that if at any time the proceeds from the sales of public lands should be insufficient to meet the requirements for the support of the agricultural colleges, the deficiency, if any, should be made up out of the general Treasury, so we have already legislation protecting the agricultural colleges—they are already fastened upon the Federal Treasury—and it is only excess of caution which requires any provision protecting them in this bill. They are already protected for all time.

#### THE MINING SCHOOLS.

I wish to say on behalf of the Irrigation Committee that its members have been in communication with a committee of five appointed by the agricultural colleges to take care of their interests in Congressional legislation and to secure additional legislation for mining schools in connection with them. This committee has been here urging Congress to provide for a school of mines in every State in the Union and for an appropriation of \$10,000 annually for this purpose, to be gradually increased until it should reach \$20,000 annually, and the bill which they have urged provided in terms that this appropriation should be a charge upon the proceeds of the sale of public lands.

I myself have held frequent conferences with them, and the gentleman from Wyoming [Mr. MONDELL] has held frequent conferences with them. We stated to them that while we were friendly to the organization of mining schools by national legislation, we could not, in the interest of the arid region, permit any diminution of the fund required for the reclamation of arid land, and while we were willing to make these mining schools a charge upon the public lands outside of the arid region, we were opposed to any measure which would enable them to absorb the proceeds of the sales in the arid region, essential as they are to its development.

We came to an agreement with them, and the agreement was that they should make their bill simply a charge upon the proceeds of the sales of public lands outside of the arid region. As a result of our agreement the friends of the mining-school bill and the friends of the irrigation bill have very generally signed a petition to the Committee on Rules asking that a time be fixed for the consideration of the mining-school bill with an amendment eliminating from their support the proceeds of the sales of public lands in the arid region and making them a charge upon public lands in the humid States only.

I am assured—we have all been assured—that the representatives of the agricultural colleges are satisfied with the provisions of this bill. They have uniformly assured us that they are in favor of an irrigation bill for the development of the West, and I have no reason to doubt their sincerity. Now, this mining-school bill was introduced by the gentleman from Ohio [Mr. GROSVENOR] and it was favorably reported by the Committee on Mines. The gentleman from Ohio has referred to this bill, and I have no doubt the agricultural colleges would like to have it passed, and I am in favor of it in its modified form.

I am in favor of making appropriations to these mining schools out of the Federal Treasury. I believe that the organization of mining schools will be sanctioned by the general-welfare clause of the Constitution. I can not conceive any reason why appro-

priations for such schools intended to advance, develop, and promote the mining interests of the country should not be as legitimate a subject of national legislation as the Agricultural Department, as the Bureau of Soils, as the experiment stations, as the Geological Survey. The fact is that the mining schools can be incorporated with these departments, and particularly with the Geological Survey, and the two can be so interrelated as to be of a vast advantage in the development of the country.

The public lands owned by the Government are largely mining lands. Their property development depends upon scientific knowledge as well as practical experience. If the agricultural and commercial development of the country is a legitimate subject of national legislation there is no reason why the mining development should not be, and these schools form an essential part of such development. If brought into cooperation with the Geological Survey they will be in touch with the mines of every part of the Union, and thus the experience of the developed part may become available for the undeveloped part.

But it is unnecessary to go into the question of the mining schools now. That will be a matter of future legislation, and I hope the proposed bill, amended as agreed, will be passed. The only question now before us is whether the agricultural colleges are protected by this bill, and I insist that they are; that they are by this bill and the Oklahoma free-homes bill made a charge upon the general Treasury, and that it is as proper to make them a charge upon the Federal Treasury as the Agricultural Department and the scientific bureaus. And if this is denied, I insist upon it that the proceeds from the sale of public lands have been accumulating in the public Treasury for years, and that if they are put together they will be sufficient for the support of the agricultural colleges for an hundred years.

So that, even assuming that the agricultural colleges are entirely dependent upon the proceeds of the sales of public lands, and there is no constitutional sanction for their support from the taxation of the country, I insist upon it that there are funds in the Treasury amply available for this purpose.

#### EXTENT OF POSSIBLE IRRIGATION.

Mr. BARTLETT. Will the gentleman permit an interruption at this time?

The CHAIRMAN. Does the gentleman yield?

Mr. NEWLANDS. Yes.

Mr. BARTLETT. I desire to ask the gentleman from Nevada if he can tell us how many acres of arid lands there are, how many acres of public lands, and how many that are not, so that we can form some idea of how much this fund will eventually be?

Mr. NEWLANDS. Mr. Chairman, I will state to the gentleman that so far as the arid region is concerned there are in all 600,000,000 acres of land, mountain and valley land. Of these 600,000,000 acres, probably one-half or more is so high above the general level of water in the streams that it can not be reached by water diverted from the streams. Then besides only a small portion of the land within reach of the streams can be irrigated, because of insufficiency of water. You must recollect that the streams in that region are fed from the snows of the mountains and that these snows are limited both in area and depth.

It is estimated that only one-tenth of the arid region is reclaimable, and it will take fifty or one hundred years to do that. Some idea of the time that will be taken can be derived from the fact that thus far in a period of fifty years only 7,500,000 acres have been irrigated by private enterprise. It is estimated, therefore, by the officers of the Geological Survey and by the State irrigation engineers and other competent men that of the whole 600,000,000 acres of public land now existing in the arid region only 60,000,000 acres are reclaimable. Sixty million acres means a space equal to that occupied by the States of Iowa and Illinois, or the single State of Colorado.

#### AGRICULTURAL COMPETITION.

Now, when you reflect that during the last fifty years we have not only opened up the States of Missouri, Kansas, Nebraska, the two Dakotas, Minnesota, and Wisconsin, and that we did all this when our population was much less than it is now, you can form some idea of how small the agricultural competition of the future will be as compared with the agricultural competition of the past. In addition to this you must recollect that the products of that region are different from the products of the Mississippi and Ohio valleys. The wheat and corn of the Mississippi and Ohio valleys will be bought by the people of the arid region for food for themselves and for fattening their cattle.

Already the States of Kansas, the two Dakotas, and Nebraska find a considerable part of their business in supplying the arid region with corn, and so their product goes now to the West, to the arid region, instead of to the East in competition with Iowa, Missouri, and Illinois. With the development of the arid region, the increase of the mining development, and the increase of the business of fattening cattle there will be an enlarged



market for the products of the Mississippi and Missouri valleys instead of a lessened market. That this is so is demonstrated by the fact that the Representatives from the two Dakotas, Kansas, and Nebraska, the States nearest the arid region, and the most likely to be injured, if there should be injurious competition, are in favor of the development of the arid region. They know that that development means the prosperity of their region, not its injury.

Mr. BARTLETT. You do not ask to take any other money except that arising from the sale of those very lands?

Mr. NEWLANDS. We do not propose to take anything except the proceeds of the sale of public lands in the arid and semi-arid region, composed of 13 States and 3 Territories. We propose in this way that the West shall reclaim itself without calling upon the Federal Treasury, though I claim that the development of the public domain is as legitimate a charge upon the public treasury as any other measure relating to the public welfare.

Mr. SLAYDEN. Will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman yield?

Mr. NEWLANDS. Yes.

Mr. SLAYDEN. Is there any other means of increasing the value of those arid lands except by irrigation?

Mr. NEWLANDS. None whatever, and the Government itself must make these waters available; no one else can, for no one else has the capacity to do it. The owner of this vast public domain, whoever it is, must do the work, and unless the Government rids itself of ownership by granting this great public domain to some corporation, it must go on with the work. Should the Government grant these lands to corporations, it would absolutely abrogate the trust it holds for the entire people. No greater outrage could be effected.

#### LAND MONOPOLY.

We have not felt in this country the evils of land monopoly. Lord Macaulay said we never would experience the test of our institutions until our public domain was exhausted and an increased population engaged in a contest for the ownership of land. That will be the test of the future, and the very purpose of this bill is to guard against land monopoly and to hold this land in small tracts for the people of the entire country, to give to each man only the amount of land that will be necessary for the support of a family—not more than 80 acres in the southern part of the arid region and not more than 160 acres in the northern part, where cultivation is less intensified. Convey this land to private corporations and doubtless this work would be done, but we would have fastened upon this country all the evils of land monopoly which produced the great French revolution which caused the revolt against church monopoly in South America, and which in recent times has caused the outbreak of the Filipinos against Spanish authority.

#### STATE CESSION.

Nothing can be accomplished by conveying this land to the States. The State lines are arbitrary lines, not drawn with reference to the watersheds, but arbitrarily by the surveyors, straight north, south, east, and west. Were these States so bounded that each could compose an entire watershed, with all its tributaries, then it would be possible to cede all the public domain to the States with the expectation of some just and proper result, but a river, with all its tributaries, may reach into four or five States. Scientific reclamation requires conservation regardless of State lines. The lands for reclamation may be in one State, bounded by arbitrary lines, and the work of conservation of the waters necessary for the reclamation of its arid land may have to be done in another.

#### HYPOCRISY OF "STATE CESSION."

And right here upon the question of State cession, let me ask how the opponents of this bill, who are endeavoring to defeat its operation by withdrawing from the reclamation fund such portion of the receipts from the sales of public lands as is necessary to support the agricultural colleges, can justify themselves by insisting upon State cession as preferable to the provisions of this bill?

Every man who has been endeavoring to defeat this bill by enlisting the friends of the agricultural colleges against it has also stated in the course of his argument that he would be in favor of ceding these lands to the States; and yet cession to the States will cause the agricultural colleges the loss of these receipts just as much as they will be lost to the agricultural colleges under this bill. Nothing can more clearly demonstrate the hypocritical character of the opposition to this bill on the part of those who profess friendship for the agricultural colleges than the demand that these lands should be ceded to the States, and that, too, without substituting the support of the General Treasury.

#### WILL KILL THE BILL.

I wish to emphasize that the adoption of this amendment will kill this bill, and that the very purpose of the amendment is to

defeat it. This will not be the only amendment intended to kill this bill. Those opposed to this measure are prepared to offer many amendments, their purpose being to delay the consideration of this bill under the rule that has been adopted, knowing well that if this House adjourns to-day without final action the bill will be dead, and I appeal to the friends of the bill to vote down the amendment, put a limit for debate upon every amendment, and drive this bill through to a successful issue.

So far as this side of the House is concerned, I am glad to know that it has almost its unanimous support. It is true that the gentleman from Indiana [Mr. ROBINSON], a Democrat, has arraigned his party associates in regard to this bill, which has the unanimous support of the Democratic members of the Irrigation Committee, the support of the Democratic members of the Committee on Rules, and the approval of the Democratic Congressional Campaign Committee, and which meets the demand of the Democratic party itself, declared in unequivocal terms in the platform of 1900.

I am glad to know that he stands almost alone on this side of the House in opposition to the bill. I stand as he does, as all this side does, against this expensive system of expansion which has involved the country in an expense of nearly \$300,000,000 in a war of subjugation against a foreign people desirous of independence, and I had hoped that he would stand with his party in favor of domestic development as against foreign subjugation and growth by conquest, but the gentlemen on the other side of the House who oppose this bill are guilty of even greater inconsistency.

The leaders on that side—the men charged with the responsibility of party action—have been and are heartily opposed to this bill, and if this bill is to be carried it is to be carried against their opposition by the friends of irrigation in both parties. How amazing the inconsistency of these gentlemen! After spending nearly a billion of dollars in a war of perfidy and foreign conquest, they cry economy regarding domestic expenditures. They would expand the empire; they would dwarf the Republic.

They favor the demand for millions of expenditure in support of an army of conquest in the Orient; they give heed to a demand for millions of dollars for buying the lands of the friars in the Philippines in order to present them to the Filipino people, and yet they turn a deaf ear to the demands of this country, whose people by hundreds and thousands, the bone and sinew of the land, are now seeking homes in the public domain of Canada, and they deny this country the reasonable and just development essential to its welfare and the welfare of the unborn millions of the very States which they represent.

What would have been thought of Alexander Hamilton, the great leader of New York in the early days of the Republic, had he opposed the development of the country beyond the Alleghenies upon the ground that the farm competition would be disastrous to the interest of the farmers of New York? What would have been thought of Benjamin Franklin had he in his day taken the view that the prosperity of the farmers of Pennsylvania demanded that a limitation be put on the development of that country?

What would have been thought of the sturdy pioneers who drove their way through the Alleghenies into the forests and fields of Ohio, Illinois, and Iowa had they said: "We have now undisturbed possession of this portion of the public domain; let us stand firmly against the development of any other part?" What would have been thought of them had they selfishly opposed the development of Missouri, Nebraska, the Dakotas, Michigan, Wisconsin, and Minnesota?

And yet to-day the leading Representatives of New York, Pennsylvania, Ohio, Illinois, and Iowa, occupying positions of power and influence on the majority side of the House, are actively and vigorously opposing the development and settlement of the arid West. Is it economy that controls them? How, then, could they favor the exemption of the Cuban people from about \$7,000,000 annually in duties which otherwise would go into the Federal Treasury and pay their part of the Federal expenditures?

They eloquently spoke for magnanimity to Cuba, and yet they stand for injustice, illiberality, and indifference as to the wants and requirements of one-third of their own country—the wants and requirements of the people of numerous States brought into being by the act of the Federal Government and only lacking population because the Federal Government has neglected its duty with reference to its own domain and has refused to do the necessary and essential work for the conservation of the great water supply required for its settlement and population.

But time will not permit a lengthy argument, and I can only appeal to those who stand in sympathy with the development of the West to vote down this amendment which, in my judgment, is absolutely disastrous to the bill and which is intended to destroy it. Our time is short. Let us push this bill through, voting down all amendments, however specious, until we reach a triumphant conclusion.

Mr. MONDELL. Mr. Chairman, this amendment is an attempt to defeat the bill by stampeding the House, by raising a bogey man, by attempting to frighten members who are interested in the agricultural colleges and the schools of mechanic arts into believing the revenues for the support of these institutions are in danger. There are no gentlemen on the floor of this House more interested in the agricultural colleges and the schools of mechanic arts than the gentlemen on the Committee on Irrigation, and that they are interested in those schools is indicated by the fact that in order that there might be no question relative to the funds for the support of those schools, out of an abundance of caution we reenact in this legislation a provision now upon the statute books and now protecting those schools and colleges.

When the so-called free-homes bill was under discussion here it was opposed by certain gentlemen interested in the agricultural colleges on the ground that to relieve the settlers from the payments on their lands would reduce the revenues from the sale of public lands, and possibly endanger the revenues of the agricultural colleges; and in order to quiet those fears, in order that there might be no question but what the necessary revenues should continue to flow to those colleges, there was written into that bill the following provision, in chapter 479, acts of the Fifty-sixth Congress. And I want the House to notice that we have written into this bill almost the exact language of the free-homes bill, as follows:

That in the event that the proceeds of the annual sales of the public lands shall not be sufficient to meet the payments heretofore provided for agricultural colleges and experimental stations by an act of Congress approved August 18, 1890, for the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts—

And so forth—

such deficiency shall be paid by the United States.

Mr. RAY of New York. May I ask you a question right there?

Mr. MONDELL. Yes; I will yield to the gentleman.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RAY of New York. I ask unanimous consent that the gentleman have five minutes more.

The CHAIRMAN. Unanimous consent is asked that the time of the gentleman from Wyoming be extended five minutes. Is there objection?

There was no objection.

Mr. RAY of New York. It is true that you say here that if the funds provided by the sale of lands are not sufficient to carry on the irrigation schemes and also to sustain these schools, that then these schools shall be maintained out of other moneys in the Treasury not otherwise appropriated.

Mr. MONDELL. I beg the gentleman's pardon. We do not say exactly that, though that is the purport of the provision.

Mr. RAY of New York. I beg pardon, but you do, or else I misread. Let me see:

*Provided, That in case the receipts from the sale and disposal of public lands other than those realized from the sale and disposal of lands referred to in this section—*

Mr. MONDELL. Other than those realized from the sale and disposal of lands referred to in this section.

Mr. RAY of New York (reading):

are insufficient to meet the requirements for the support of agricultural colleges in the several States and Territories under the act of August 30, 1890, entitled "An act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts, established under the provisions of an act of Congress approved July 2, 1882," the deficiency, if any, in the sum necessary for the support of the said colleges shall be provided for from any moneys in the Treasury not otherwise appropriated.

Mr. RAY of New York. Now, supposing that Congress at some future day should see fit to abandon these colleges to their fate; supposing that Congress should refuse to appropriate the money. Then they would have to close their doors, would they not? In other words, does not this bill in a certain contingency throw these colleges and schools upon the mercy of Congress?

Mr. MONDELL. I do not think it does. The gentleman voted for the free-homes bill, I believe, which contains the same provision that this bill contains and made the agricultural colleges a charge upon the public Treasury as this bill does, providing there are not sufficient proceeds from the sale of public lands to provide for them. That is what this bill does, and that is what the free-homes bill did.

Mr. GROSVENOR. Will you allow me? Do you hold that it is imperative that Congress shall make that appropriation?

Mr. MONDELL. I hold that the appropriation is made by this legislation.

Mr. GROSVENOR. That it is a national appropriation—of how large a sum?

Mr. MONDELL. Of the amount provided in the original legislation—\$25,000 per annum for each State and Territory, I think. I want to call the gentleman's attention to this fact, that when

the agricultural colleges and schools of mechanic arts and experiment stations were costing upward of \$1,500,000 per annum, and the net proceeds of the sale of public lands was a less sum per annum, the agricultural colleges and schools of mechanic arts received their funds without this legislation and without the free-homes legislation.

As a matter of fact, these appropriations have always been made out of the Treasury of the United States without any inquiry being made by the Treasury officials whether there was a sufficient sum received from the sale of public lands to pay them.

Mr. GROSVENOR. Then the only difference here is that you will take away the fund from which normally they were to derive their support and push them over to the charity of Congress.

Mr. MONDELL. Well, if the gentleman wants to call it the charity of Congress, very well. What the gentleman wants to do, I understand, is this: That the arid West shall support the agricultural college of his State; that Nevada lands shall support the agricultural college in New York; that Wyoming's lands shall support the agricultural college in Pennsylvania. Now, the House has already passed on this question in the free-homes bill. The House has already provided that if the sale of public lands other than those derived from certain sources will not meet the requirements of agricultural colleges, then this fund shall come from the National Treasury, and these funds have been coming from the National Treasury.

Now, gentlemen, we do not pledge all the public lands to irrigation in this bill. There will remain about 867,000,000 acres of public lands from which funds for the support of the agricultural colleges may be derived. The proceeds of the public lands outside of the States and Territories named in this bill last year were over \$600,000, not enough at the present time, I grant you, to provide for the schools and colleges, but I have no doubt but what the funds from this source will increase. But, gentlemen, what do we propose by this legislation? We ask not that any American citizen shall be taxed for the reclamation of the West. We simply ask that the public lands of that great region shall be pledged for the reclamation and development of that region.

The CHAIRMAN. The time of the gentleman has expired.

Mr. UNDERWOOD. I ask for the regular order.

The CHAIRMAN. The gentleman from Alabama makes the point that debate upon this amendment is exhausted. The Chair sustains the point of order.

Mr. CANNON. Is there not a pro forma amendment pending?

The CHAIRMAN. There is not.

Mr. CANNON. I would like to hear the amendment read again.

The CHAIRMAN. The Clerk will again report the amendment.

The amendment was again reported.

Mr. CANNON. I suppose that amendment is subject to amendment.

The CHAIRMAN. The amendment is subject to amendment. Mr. CANNON. I fancy I can offer an amendment by which I can get five minutes.

Mr. SHAFROTH. I ask unanimous consent that the gentleman be given five minutes.

Mr. REEDER. I shall object to that, unless other gentlemen may be recognized.

Mr. HOPKINS. I move that all debate upon the pending paragraph and amendments shall be closed in ten minutes.

The CHAIRMAN. The gentleman from Illinois moves that debate upon the pending paragraph and amendments be closed in ten minutes.

Mr. DALZELL. Mr. Chairman, that is hardly a fair proposition. There has only been one amendment offered to this paragraph up to the present time, and there are many other amendments to be offered, and they ought to be understood.

Mr. HOPKINS. Has the gentleman any amendment to offer?

Mr. DALZELL. I have.

The CHAIRMAN. The question is on the motion of the gentleman from Illinois.

Mr. HOPKINS. I withdraw it.

Mr. UNDERWOOD. I call for the regular order, which is not debatable.

The CHAIRMAN. The gentleman from Illinois was recognized to offer an amendment to the amendment and is now preparing his amendment. The Chair does not feel like cutting him off from offering the amendment when he has not had an opportunity to do so.

Mr. CANNON. Mr. Chairman, I will ask if a pro forma amendment is in order?

The CHAIRMAN. A pro forma amendment is in order.

Mr. CANNON. Then I move to strike out the last word.

Mr. Chairman, I must confess that I have not the knowledge of this bill that a Representative ought to have to fully discuss it in detail, and I find myself compelled to make an opinion as to the



general merits of the proposition. Very generally we follow committees. There is a majority and a minority report here. Now, as I am advised at the present I stand ready to vote against the passage of this bill. I am inclined to think, if I understand it, that I stand ready to vote for this amendment. Let us see if I understand it. The bill devotes or appropriates all the public lands in the States mentioned for irrigation.

Mr. TONGUE. Except those devoted to school purposes.

Mr. RAY of New York. I beg pardon of the gentleman. He knows that it takes those devoted to school purposes also, in that provision, except the 5 per cent excepted.

Mr. CANNON. Well, I understand now that there are certain exceptions—5 per cent that pertain to the existing States that are not affected, and the school lands have been held unaffected, and if they are not selected, then the 5 per cent of the proceeds of the public lands granted to the States, they are not affected.

Mr. MONDELL. There is another; that is, the local land office fees are paid.

Mr. CANNON. Oh, certainly; that does not amount to anything. Now, then, I understand that many years ago legislation was enacted that devoted from the proceeds of the sale of the public lands \$25,000 annually to each agricultural college. How many there are I do not know; certainly 45, I take it; there may be 45, and probably will be more. That is in the nature of a mortgage, in one sense of the term, upon these particular lands, the public lands, that belonged to all the people when the legislation was had, practically in perpetuity for this purpose. It was thought wise to devote it to the agricultural colleges, because they had to do with agriculture. Congress years ago thought it wise to make this mortgage upon these lands in perpetuity, as I understand it.

This bill without the amendments put that charge practically upon the Treasury of the United States and relieves the public lands from that burden. It is true it does not affect the public lands in Alaska, and perhaps here and there other public lands, but substantially all the public lands that would produce a revenue are, by the proposed legislation, relieved from this mortgage that Congress put upon them to sustain the agricultural colleges. Now, I do not think it makes any difference to the agricultural colleges. I want to be square because the bill puts that charge directly upon the Treasury of the United States and relieves the public lands from that.

That brings me to another question. I rather think I shall vote for this amendment. I am content to let that charge rest there, and if this bill should pass, let them have for the purpose of this fund the proceeds of the public lands after the burden has been borne for the agricultural colleges.

Mr. MORRIS. What is the amount?

Mr. CANNON. From one million to twelve hundred thousand dollars per annum. Now, then, I wish I had it in my power to devise some machinery that would give every one of these States all these public lands, and allow each State to work out its own salvation.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MONDELL. I ask that the gentleman be allowed five minutes more.

The gentleman from Wyoming asks that the gentleman from Illinois may have five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. CANNON. It is a great extent of country. It contains forests, mines, mineral lands, plains, deserts, streams, and a small percentage of land that can be irrigated. The gentleman from Wyoming says from thirty-five to seventy-five million acres. I assume the latter figure is correct; that if all the water was fully utilized in the States mentioned it would probably be sufficient to irrigate 75,000,000 acres of land, and the estimate is that it will cost \$10 an acre to make the reservoirs and the ditches, and that the settler will have to level the land and make the little irrigation ditches that would utilize the water. Ten dollars an acre, exclusive of this work by the settler, would make \$750,000,000. It will some time be done. If I had my way about it, I would let this problem work itself out. As the population increases in the older States, as it becomes for the interest of the men to push out to make them new homes and reclaim these lands, they will do it as we have settled the balance of this country, guided by good brains, by the strength of the right arm of industry. I would rather it would be worked out in that way.

But let me come down to the exact thing I am afraid of. In the very inception of this bill it removes the charge of a million dollars a year upon these lands and puts it upon the Treasury.

Mr. BARTLETT. In addition to that there is \$720,000 for experimental stations.

Mr. CANNON. Very well; perhaps I have got it too small. In the very inception I will assume that it is \$1,000,000; in twenty-five years that is \$25,000,000. Now, then, we could get along

and let the Treasury bear that burden, but it is claimed by the gentlemen that all they want is their land, if the bill is passed, devoted to reservoirs and irrigation, and that they will work out their salvation. But before they can start this annual burden of from a million to twelve hundred thousand dollars is put on the Treasury.

That charge is a direct grant in this indirect way. Now, what I apprehend, and I would like to hear from my good friend from Wyoming [Mr. MONDELL] and my good friend from Nevada [Mr. NEWLANDS] and my good friend from Colorado [Mr. SHAFROTH] upon this subject. I apprehend that twelve months will not pass by until, by the aid of almost one-third of another body coming from the arid and semiarid States, at the other end of the Capitol, and the Representatives here, reinforced by transcontinental roads, reinforced by people who have got something to sell and develop—I am fearful they will come for a direct grant from the Treasury, possibly reimbursable from the sale of these lands, by which in the end we are to shoulder up, modestly speaking, \$750,000,000 for this work, running through the years.

Now, I may be wrong about it. I would be glad to hear from the gentlemen I mentioned a moment ago whether in point of fact this is not a mere entering wedge—

Mr. NEWLANDS. Would the gentleman like an answer now?

Mr. CANNON. I yield first to my friend from Wyoming [Mr. MONDELL] the balance of my time to answer that question. If I had the time I would be glad to yield to the gentleman from Nevada [Mr. NEWLANDS] and my friend from Colorado [Mr. SHAFROTH], because we are now getting at the very kernel of this contest. I want to know what we are voting for; and I would like for these gentlemen to speak up and tell us what they think about it.

[Here the hammer fell.]

Mr. UNDERWOOD. Mr. Chairman, I have listened to what the gentleman from Illinois [Mr. CANNON] has said, and without attempting to answer him I want to say that I am in favor of this bill being passed, I am in favor of this bill being voted on, and I want to say to the men who stand here from the West, or from the South, or from other parts of the country, who want this bill to pass, that if you do not get a vote on this day your bill is dead. We have spent an hour in debating one paragraph. If 5 o'clock should come and there should be no quorum here and this House should adjourn without this bill being disposed of, then under the rule your bill is dead. I say to you, therefore, if we do not expedite this bill, if we spend the entire day in talking about it, you will never pass the bill.

Now, if the agricultural colleges—

Mr. DALZELL. The gentleman will allow me to say that the special rule provides for a vote to-day whether the bill be read through or not.

Mr. UNDERWOOD. It does not fix the hour.

Mr. DALZELL. It provides that "at the end of two days"—

Mr. UNDERWOOD. No; it says that the bill shall be considered under the five-minute rule for two days—

Mr. CANNON. I should like to know how this matter stands.

Mr. UNDERWOOD. I would ask my friend on the Committee on Rules [Mr. DALZELL] whether he will agree that the debate on this bill, if not concluded sooner, shall conclude at 4 o'clock and the bill be reported to the House with the amendments?

Mr. DALZELL. So far as I am concerned, I should be perfectly satisfied with that course; but the rule provides that—

At the end of said two days a vote shall be taken.

That is irrespective of the question whether the bill has been read through or not.

Mr. UNDERWOOD. But we must finish the bill before we can report it to the House, and if we should lose a quorum this evening how could we report it to the House? To-morrow the bill would not be in order.

Mr. DALZELL. We could report it to the House under the rule, and it is specially provided that a vote shall be taken. The only danger that the gentleman runs at all is the danger of having no quorum; but there is no danger from protracted debate.

Mr. UNDERWOOD. If the bill is not voted upon to-day it will be dead.

Mr. DALZELL. That is true; but it will be voted on to-day.

Mr. UNDERWOOD. Now, as to the agricultural colleges, I simply want to say that the funds now derived from the sale of the public lands, irrespective of that portion derived from the sale of public lands in the arid-land States, are sufficient to-day to support the appropriations for the agricultural colleges and the experimental stations. There is no question that the funds thus derived are ample to-day and will be ample for some time in the future. Of course, there is a day coming in this country when all of the public lands will be disposed of, and you will derive no more revenue from the sale of the public lands for the support of the agricultural colleges. Of course, that day will be, to a small extent, expedited if you give this land for a particular purpose.

Mr. MADDOX. Does this bill take anything from the agricultural-college fund?

Mr. UNDERWOOD. Not anything, so far as the present day is concerned.

Mr. MADDOX. Will it in the future?

Mr. UNDERWOOD. Of course, as I said a moment ago, at some day in the far-distant future all the public lands will be sold, and therefore there will be no proceeds from the public lands to go to any agricultural colleges. That day may be fifty years hence or it may be a hundred years; but the day will come.

Mr. CLARK. And that would be the case if this bill were never passed.

Mr. UNDERWOOD. Yes; that will ultimately happen, whether this bill becomes a law or not.

Mr. DINSMORE. I would like to ask the gentleman from Alabama [Mr. UNDERWOOD] a question—one which I proposed to ask the gentleman from Illinois [Mr. CANNON]. As I understand, this bill provides nothing to take any revenues from the sale of public lands outside of the arid districts in the States mentioned.

Mr. UNDERWOOD. Not a thing.

Mr. DINSMORE. What I want to be informed upon, if the gentleman knows—and if not, I would like some of these gentlemen of the arid West to tell us—is if there are to-day any public lands in that region open for settlement which do not have to be irrigated to make them salable for farming purposes?

Mr. UNDERWOOD. From my information on the question—

Mr. SHAFROTH. They are all arid.

Mr. UNDERWOOD. If the gentleman will allow me, my information is that there is a very small portion of these lands that is open to homestead settlement. There is a large proportion of them that can be used for stock herding and stock raising, but those lands are usually used without being acquired from the Government. They are used by trespassers, and the only lands that the stock owners buy are the lands along the stream. That covers the water front, and then they go on pasturing their herds on the public lands, so in the present condition of those lands a very little money will ever be derived from the sale of them for school purposes or any other purpose, but if this bill works out, and you go on and build these reservoirs, and you sell the lands that are adjacent to the reservoirs, and the money comes back into the fund, ultimately, if the scheme works out and is correct, you will have finished all the reservoirs and you will have your fund left that can be used for school purposes, and the only way you will get a fund out of these arid lands for the carrying on of the appropriations for these schools is in that way.

Now, Mr. Chairman, I move that all debate on this paragraph and pending amendments be now closed.

The CHAIRMAN. The gentleman from Alabama moves that all debate on the paragraph and pending amendments be now closed.

Mr. HEPBURN. Mr. Chairman, it seems to me that that is rather ungracious in the gentleman, in view of the fact that the gentleman has occupied so much of the time, to thus cut off everybody else.

Mr. UNDERWOOD. I have occupied five minutes, and the paragraph has been debated for an hour and a half.

Mr. DALZELL. We ought certainly to have an opportunity to explain the amendments that we offer.

The CHAIRMAN. The question is on the motion of the gentleman from Alabama, that all debate on the paragraph and pending amendments be now closed.

Mr. DALZELL. Mr. Chairman, I move to amend that by striking out the word "paragraph" and leaving the word "amendments"—to close debate, in other words, on the amendments now pending.

The CHAIRMAN. The gentleman from Pennsylvania moves to amend the motion of the gentleman from Alabama so that debate on the pending amendments to the amendment be now closed.

Mr. SHAFROTH. Mr. Chairman, I move as a substitute for that that all debate on this paragraph close in ten minutes. We have got to get along, or else we can not get a vote on the bill.

Mr. UNDERWOOD. On the paragraph and amendments?

Mr. SHAFROTH. Yes; on the paragraph and all amendments, that debate close in ten minutes.

Mr. DALZELL. Mr. Chairman, I suggest to the gentleman that that is not fair, to close debate in that way on amendments.

Mr. SHAFROTH. The gentleman has admitted that if we do not get a vote on this measure to-day we are lost.

Mr. DALZELL. The gentleman has said expressly that you are bound to get a vote under the rule. It is specially provided for, and I do not believe that the gentleman will make any greater progress by choking off debate.

Mr. SHAFROTH. The gentleman concedes that if there is no quorum here we could not get a vote, and then the gentleman concedes as a matter of fact that our measure is lost. It seems to me it is nothing but fair that the time be limited, and ten minutes seems to me to be fair. I do not want any of the time.

The CHAIRMAN. The gentleman from Colorado moves, as a substitute for the amendment of the gentleman from Pennsylvania to the motion of the gentleman from Alabama, that all debate on pending amendments and the paragraph be closed in ten minutes.

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. RAY of New York. I call for a division.

Several MEMBERS. It is too late.

The CHAIRMAN. A division is demanded.

Mr. SHAFROTH. Mr. Chairman, I make the point of order that the Chair had announced the decision before the division was demanded.

The CHAIRMAN. The Chair will state that he heard some one calling for a division, but he did not see anyone standing.

Mr. SHAFROTH. Mr. Chairman, I will withdraw the point of order.

The committee divided; and there were—ayes 81, noes 33.

So the substitute was agreed to.

The CHAIRMAN. The question is on the substitute as amended.

The substitute as amended was agreed to.

The CHAIRMAN. The gentleman from Colorado is recognized.

Mr. SHAFROTH. I said I would not use the time. If any gentleman wishes to use it he can do so.

Mr. DALZELL. Mr. Chairman, under the order just made I shall not have an opportunity to say anything about an amendment that I propose to offer. So I will send the amendment up now, and say what I would say otherwise if I had the opportunity.

The CHAIRMAN. The amendment will be read for information in the time of the gentleman.

The Clerk read as follows:

In line 4, page 1, after the word "lands," insert "less the cost and expense of the administration and management thereof."

Mr. DALZELL. Now, Mr. Chairman, I have no desire to make remarks at any great length upon this bill. I simply desire to enter my protest in a public manner against its passage, a protest that I feel, however, will be unavailing.

This bill, in my judgment, violates all our previous notions as to the limitations of Federal power and all our theories as to the functions of the Government. It proposes to overrun State lines, to pay no attention to them; to supply Nevada, for instance, with water from California. It proposes even to overrun the boundaries of the United States. I find here a project for building a reservoir up somewhere in the mountains, the water to be carried across the United States line to Canada for 44 miles and back again into the United States.

Now, as I say, the bill violates all our previous notions as to Federal and international limitations. But in addition to that, it is unfair. Gentlemen say, "Why, this is a fair bill, because we are asking for nothing but what is our own;" and yet if I read the first paragraph of this bill aright, you will find that all the money paid into the Federal Treasury from the disposition of desert lands in the arid and semiarid States is to be turned over to the reclamation fund, while all the rest of the States are to be generously permitted to pay the expenses of administration and management of these same lands. Now, my amendment is intended to carry out what these gentlemen claim to be a fair construction of this bill—that the reclamation fund shall be only that which belongs to those States.

But, above all that, I agree with the gentleman from Illinois [Mr. CANNON] that this bill is simply an opening wedge to unlock the doors of the Treasury. We know what will happen in the future by what has happened in the past. Some years ago we passed a law generously giving to the agricultural colleges the proceeds of the public lands. We did that because we said, "This money is not the result of taxation. It is a sort of pocket-money fund belonging to the entire people, and we can devote it to any purpose that we see fit, and we can devote it to no better purpose than the educating of the young people of the country in agricultural pursuits."

What has been the result? No sooner does that fund begin to decrease than the parties who plausibly asked for the passage of the act in the first place come to Congress, and upon their demand Congress puts upon the statute book a law that relieves that fund and imposes the expense of maintaining these agricultural colleges upon the Federal Treasury.

Just so here; these gentlemen say now, plausibly, "Oh, it is only the fund arising from the sale of the arid lands that we want." But the fund arising from the sale of the arid lands will



be a decreasing fund from this day forward, and it will not be long until we find that these same gentlemen will come to Congress and say, "Why, look at this great national work that we have undertaken. We are just in the midst of it. Are you going to allow the money heretofore expended to go to waste? Give us an appropriation from the Federal Treasury." And the result will be that this whole stupendous and extravagant scheme, involving an unlimited sum of money, will be settled upon the American people and paid out of general taxation.

Let me call your attention to a fact that must be fresh in the memory of many of you. Within four years the very gentlemen who are here to-day asking for this legislation said in your presence that it was impossible to believe that the United States Government would ever undertake this as a national scheme because of its immense cost, and yet because of the petitions that the gentleman from Nebraska [Mr. BURKETT] speaks of, coming from laboring organizations and the like, carefully manufactured and artificial public opinion, because of this worked-up sentiment, because of the industry of these gentlemen favoring this scheme, we find them here to-day, not asking that the States shall undertake this, not thinking it is an impossibility for the Federal Government to undertake it, but saying it is right and proper that this legislation should pass, and this great burden be placed on the shoulders of the taxpayers of this country.

Mr. REEDER. Mr. Chairman, I feel safe in saying to-day that no subject has been brought to the attention of Congress in recent years which bears so strongly and in so many ways on the future welfare and prosperity of our nation as does the subject we consider to-day. It is a subject so far-reaching and important in its influences as to cause its votaries to seem visionary to those who have given the subject but a casual consideration. But when the facts are known the feasibility of the project becomes apparent, though its magnitude has made us slow to grasp its tremendous possibilities of benefit to the whole people of the country.

#### A NEW HOMESTEAD LAW.

The question, in fact, is whether we shall enact a new homestead law which will be applicable to the vast area of arid public lands which remain unsettled, and which can not be settled until in some way water is brought within reach of those who seek homes on these lands.

The lands which are available for settlement under the old homestead law are practically exhausted, and yet the Government still owns two-thirds of the whole Western half of the United States—a territory embracing over 600,000,000 acres of land. The estimates of the area which can be reclaimed vary from 60,000,000 to 100,000,000 acres. Beyond a doubt the area is so large that if it were opened up for settlement opportunities would be created for our people who are without homes to get homes on the land for many years to come. No greater obligation could rest upon us than to see that such opportunities are afforded. No more beneficent law was ever enacted by Congress than the homestead law, and it comes in very bad grace for those who enjoyed the opportunities which it created to object now to continuing its benefits to others. We should see to it that every citizen of our country—every boy who has grown to manhood—who wants a home on the land should be able to get it so long as there remains any public land which can be made available for settlement.

#### CONDITIONS IN THE ARID REGIONS.

One of the difficulties to be overcome in bringing about a correct understanding of this question in the public mind arises from the fact that so few of our people as a whole are familiar with the natural conditions that exist in the West. They do not realize that unless the Government does adopt the national reclamation policy that we are urging that great region must and will always remain a desert. It can never be reclaimed either by the States or by private enterprise. We are face to face, then, with the proposition that the National Government must do it or that it must remain undone.

The States have not the financial resources and the experiments which have been made under the Carey Act, which granted a million acres to each State on condition only that it be reclaimed and settled, have demonstrated that the States are unable to cope with the problem.

The great rivers which will supply the water for the reclamation of this immense area of arid lands are interstate navigable streams. As Captain Chittenden has shown in his report on reservoir sites in Wyoming and Colorado, the streams which rise in those two States either flow through or border upon 17 different States and Territories. Reservoirs must be built in one State to furnish water for lands in another. Large interstate canals must be built crossing State boundaries and irrigating lands in both States. The great canal to take water from the Grand River for lands in both Colorado and Utah is an instance. The National Government alone can solve these interstate problems.

#### THE CREATION OF A COUNTRY.

The fact is, the carrying out of this new national policy for transforming our own arid region into a fertile and populous part of our national territory is just as much a national duty and just as much a national function as was the building of the great dikes of Holland. It is actually the creation of a new country, where nothing could exist unless the Government, as a great national undertaking, made the territory reclaimed habitable for man, so that population and everything that goes to make up a government could be brought into being. The sea would still be flowing over great areas of the richest and most fertile parts of Holland if the Government had not built the great dikes which now protect those lands from being submerged by the ocean.

In our case the situation is the same in principle. The limit of development by private capital has been very nearly reached. No private schemes can ever cope with the gigantic task of storing the floods of the Missouri, the Columbia, the Colorado, and the other great rivers of the West that now carry such immense volumes of water to waste in the ocean. These facts are well known to all who have studied the conditions in the West. They are the final conclusions of the Government itself as the result of investigations extending over more than a quarter of a century.

#### LANDS NEEDED FOR HOMES.

Anyone who thinks the time is not ripe for the reclamation by the Government of the arid region is blind to what is happening around him. No one would contend that these arid lands should be opened up for settlement unless the people needed them for homes. But there is not the slightest doubt that they are needed, and what would happen if they were opened up for settlement under the homestead law? Look at what has happened in Oklahoma. It has been well christened the Homestead State, for it is ready for statehood. In a little over ten years a Commonwealth of 400,000 people has grown up where was before that only a few Indians; and this has resulted in this incredibly brief period of time because the lands of Oklahoma were opened for homestead settlement and there was such a rush to secure these homes that when the lands were opened there was a great rush to occupy them. The recent opening of the Kiowa Reservation is familiar to all. There 160,000 homeseekers gathered to get a chance to draw lots for a home, when there were only 13,000 chances and less than one in ten could secure the coveted bit of land.

#### MIGRATION TO CANADA.

Now that Oklahoma has been taken up, we see this land-hungry horde steadily moving across the line into Canada. We are losing in this way our very best class of citizens. The sturdy energy which they will devote to the development of that inhospitable region under a foreign flag had far better be kept at home. Give these men who are going into Canada the opportunity they should have to develop the arid region of our own country, and they will do it instead of going to Canada and expatriating themselves.

In a recent interview Mr. J. A. Haslam, of Winnipeg, one of the largest landowners of Canada, stated that 50,000 Americans will move from the United States this year to northwest Canada.

The St. Louis Globe-Democrat recently said editorially:

The movement of American farmers across the line into Canada's western territory is an argument in favor of reclaiming the lands in the arid region of the United States. These farmers would prefer to stay in their own country if the attractions for them seemed to be anything near so great as they are in Canada's Pacific domain. Canada there has millions of acres of wild land which can be got at a low price, and many Americans are among the persons who are taking it up. Of course, the throwing open of the big Indian reservations which are soon to be put on the market will absorb thousands of those homeseekers, but irrigation would do far more in this direction.

#### INCREASING POPULATION.

Another reason why we should begin the great work of reclaiming our arid lands for settlement is that our population is increasing so rapidly that it will not be possible to reclaim lands fast enough to keep pace with the increase of our population. We have now over 76,000,000 and in a little over thirty years we will have 150,000,000. In an address at Denver, Colo., on October 10, 1901, Hon. Lyman J. Gage, then Secretary of the Treasury, predicted that "fifty years from now the country will have a population of 190,000,000 people."

Now what are we going to do with all these people?

The question is one that must be answered. We know that if the arid region were reclaimed we could take care of this rapidly increasing population in the West as it overflowed from the congested centers of the East and in that way avoid the dangers which would result from the great overcrowding of the Eastern centers of population which will result unless this safety valve is provided.

#### A FLOOD TIDE OF IMMIGRATION.

We have not only to provide for the increase of our own population, which has already attained such vast proportions, we must provide also for a rapid influx of foreign immigrants. Their number is greater now than ever before. They are coming to our shores by the hundreds of thousands, notwithstanding all

the restrictions we have placed on immigration. Now, if we continue to let these people crowd into our cities as they are doing now, they are a menace to our institutions and to our social peace. Anyone who will go through the foreign quarter of New York will be convinced that instead of improving they degenerate under the vile influence of the slums, and each year adds to the dangers from this class of our city population.

Another fact which should be borne in mind is that this horde of immigrants coming into our country, if they remain in places already thickly settled, are a detriment to our working people, because they compete for employment with them, and, being accustomed to a lower standard of living with fewer comforts, their competition must inevitably tend to reduce the wages and mode of life of our own laboring classes. There is no way to avoid this competition or to guard against the dangers of the congestion of these immigrants in our great Eastern cities except to get them out on the land in the Far West. If that can be done, they will build up prosperous communities, just as the immigration from Sweden and Norway has contributed so largely to the upbuilding of Minnesota and the Dakotas.

#### BENEFITS EVERY CLASS OF OUR PEOPLE.

When we look at the matter from a broad national point of view we see that every class of our people will be benefited by the creation of new communities in the arid region. Every new settler creates a demand for all the manufactured articles that he must use to cultivate his land, to stock his farm, to furnish his house, and to clothe himself and his children. When we look at the internal commerce and markets for our Eastern manufacturers which have been created by the 7,500,000 acres of land which have been reclaimed by private enterprise, we can form some idea, by comparison, of the enormous markets which would be furnished by the reclamation and settlement of the many millions of acres which can only be reclaimed by the action of the Government. In his message to Congress President Roosevelt said:

In the arid region it is water, not land, which measures production. The western half of the United States would sustain a population greater than that of our whole country to-day if the waters that now run to waste were saved and used for irrigation. The forest and water problems are perhaps the most vital internal questions of the United States.

This new population could be built up just as fast as the irrigation works could be constructed, and no possible extension of our markets into foreign countries could be developed so rapidly or be so valuable to American manufacturers as the rapid development of markets through the increase of population and wealth in the arid region of the West as the result of the carrying out of the policy inaugurated by the bill now under consideration.

#### EMPLOYMENT FOR LABOR.

The benefits which would result to the laboring classes of our country are clearly apparent. The increased demand from the West for the products of Eastern factories would stimulate production in every branch of industry in the East. The mines, the furnaces, the rolling mills, the transportation companies, and every factory which transforms the raw material into the finished product would respond by increased activity and the rapidly enlarging demands for its products. This would all mean an increased demand for labor of every kind and throughout every locality in the East where either the raw materials are produced or where the factories are themselves located.

Not only this, but it is conceded by all thinking men that the comfort and contentment of our laboring classes depend upon keeping open opportunities for all who want them to get homes on the land. As Carlyle said:

Ye may boast o' yer democracy, or any ither 'cracy, or any kind o' poleetical rubbish; but the reason why your laboring folks are so happy is that ye have a vast deal o' land for a verra few people.

The creation of the opportunity for millions of new home builders to get a parcel of the public domain would draw off the surplus of unemployed labor in the East in any period of hard times, and in this way act as a safety valve and preserve stable conditions beneficial to both labor and capital. It would relieve us of the greatest danger to our social stability which confronts us to-day—the danger arising from the possible throwing out of employment of a multitude of men in some period of business depression, such as we passed through a few years ago. In such times as that strikes and riots are inevitable, and we have had experience enough in the past to show their danger.

We have been told here to-day that it would injure the Eastern farmer if the arid region is reclaimed in the manner now proposed.

That idea is based upon a complete misconception of the proposed plan and ignorance of the conditions that exist in the West. Certainly no one would claim that it would benefit the farmers of the New England States or of New York or Pennsylvania if we should blot out or destroy every farm in the United States from the Allegheny Mountains to the Pacific Ocean. It is quite true that if that were done there would be a decrease of our agri-

cultural productions, and in that sense less competition with these Eastern farmers. But no man could be found who would contend for the moment that the destruction of the farms of the Middle West would help the farmers of New York or Pennsylvania. The reason is plain. The best market the farmers of the Eastern States have to-day is in the great cities and centers of population which have been built up around our manufacturing industries. If those were wiped out the condition of the Eastern farmer would be sad indeed, and just as it would injure the Eastern farmer to destroy the farms that exist in the West to-day so it would benefit him to increase the agricultural development of the arid region. There are many reasons for this, in addition to the fact that it would stimulate Eastern manufacturing industries and the home market of the Eastern farmer.

The staple farm products can not profitably be produced on irrigated land except for local consumption. The cost of labor in farming by irrigation necessitates the intensive culture of small farms and a diversity of products to make the industry profitable. A great local market would be built up around every irrigated section by the development of mining, lumbering, and all the other varied industries of the West.

The reclamation of the arid region would necessarily be slow. The construction of the great irrigation works—reservoirs, dams, and canals—would necessitate the investment of large sums of money, the employment of labor, the utilization of the materials for construction, and the growth of many local industries, before a drop of water could be made available for the cultivation of the land. The development of the country would be symmetrical, all these industries growing up together, so that the local demand would be steadily created in advance of irrigation development.

The great staple product of the Middle West is corn. The reclamation of the arid land would make a market for the corn grower of the Middle West. Corn can not be raised in the arid region as a profitable commodity, but alfalfa can and will be raised. And the stock which is thus raised will be shipped as feeders to the corn States, and there the farmer who has raised the corn will feed it to them and put them in condition for the market.

In the extreme Northwest, in Wyoming, Montana, Idaho, and Washington, it may be possible, where water is very abundant and works can be cheaply constructed, to raise more wheat than will be required for local consumption, but the demand for American flour in Asia already far exceeds the available supply, and every pound of wheat raised in the arid region which is not consumed locally will be made into flour for shipment to the Orient.

I quote the following from the Modern Miller, of St. Louis, May 31, 1902:

The flour exported from the Pacific coast goes to all quarters of the globe. Of the 3,000,000 barrels exported last year, however, more than 2,000,000 were shipped to China. It is upon the Chinese market that the Pacific coast miller will depend for his future. Up to ten years ago this market absorbed only about 500,000 bushels of wheat, but wherever flour has once got a foothold the Chinese never again return to their rice. Every day sees the flour market in China expand, and it will be but a short time until the consumption of flour in that country is limited only to the capacity of the Chinamen to buy or the American farmer and miller to produce.

Large areas of this reclaimed land, more especially in the Southwest, will be devoted to the raising of semitropical, citrus, and deciduous fruits, which will not in any way compete with the products of the Eastern farmer. Take southern California as an illustration. It sends East annually over \$10,000,000 worth of fruit products. The railroad cars which haul this fruit East do not come back empty. They carry carload after carload of the products of our Eastern factories and goods of all kinds from the stores of our Eastern jobbers, which are used by the people of southern California. The money which the people of the East pay for the fruit is returned to them in this way, and finds its way into every channel of trade and commerce in the East, and a large share of it into the pockets of the Eastern farmer, who feeds the operatives in all the great factories of the East.

#### CONTROL OF THE MISSOURI RIVER FLOODS.

As everyone knows, we are spending year after year millions of dollars to control the floods of the Missouri and Mississippi rivers. If the waters which now run to waste in the winter and spring months and carry destruction in their pathway from Montana to the Gulf were stored back in great reservoirs and canals, the flow of the Missouri River could be so regulated that the winter flow would be lessened and the summer flow increased for navigation; and the difficulty of keeping the channel of the Mississippi open for navigation would be materially lessened.

I desire to quote here from an article which appeared in the St. Louis Mirror of May 20, 1902, which was as follows:

#### IRRIGATION AND NAVIGATION.

In view of the established scientific relations between their respective projects, it is singular that the advocates of irrigation and the extensive reclamation of arid lands and the friends of deep-water navigation from the Great Lakes to the Gulf of Mexico have not come together in some plan of



mutual benefit. River navigators, engineers, and contractors who have struggled with the seemingly simple problem of establishing a uniform channel between St. Louis and New Orleans will tell you that the paucity of water in the late summer and dry autumn is not the salient feature of the problem which has interminably confronted and defeated them. Odd as it may seem, it is the wealth of water which rushes into the great waterways during the spring thaws and rains which effect the destruction of navigable channels established by hard work and long periods of accurate figuring.

In other words, the almost annual floods which rush into the Missouri, the Mississippi, the Arkansas, and other lesser tributaries of the projected waterway carry with them such a power of destruction, such a mass of silt, clay, sand, timber, and other erosions, that it is almost impossible to resist their advance or combat their deposits. A deep-water channel—deep, but comparatively narrow—could be easily maintained if the flood water did not wash into the rivers tons of earth and forests of trees, which, at the subsidence of high water, loom in the face of the most skillful engineers in the shape of sand bars, snags, and even unexpected courses. Setting aside the incredible destruction accomplished by the periodical floods which have devastated the lower valleys, is it not apparent that the annual defeat of the best engineering skill is sufficient to prove that the waste waters which thunder annually to tide water are the chief enemy to deep navigable channels from the Lakes to the Gulf? But when it is remembered that these destructive floods, marked by waste and desolation, have come thundering through a region which is absolutely starving for water, how imminent seems the suggestion that the reclamation of arid lands is not only supplementary but necessary to the local problem of deep-water inland navigation.

The fights which St. Louis lobbyists and friends of river improvement have fought and lost in the cause of inland appropriations would never have been lost if their demands had been reinforced by the common interests of the dwellers of Eastern or Western arid regions. Is it not apparent that the same general law which may compel the conversion and distribution of the aqueous yield of mountains and plateaus in the high arid regions would lessen the unmanageable, destructive, and wasteful flow of waters in the lower valley during the flood periods? "Give us a normal, constant flow of commensurate volume," say the best engineering experts of the world, "and we will fix a permanent channel from St. Paul on the Mississippi and from St. Joseph on the Missouri, and we will establish a navigable channel to the tide waters of the sea." What could better conspire to this end than a unity of interest between the advocates of irrigation, the friends of river and harbor appropriations, the exporters, and the shippers of all that vast and incomparable domain which stretches almost from the Allegheny Mountains to the crest of the Rockies? "Local interests" is what has always defeated all past efforts for river appropriations and for Federal provisions for irrigation. Here is the chance and now is the time for the advocates of both measures to get together. The reclamation of arid lands is eminently a question of national policy.

#### OUR BEEF SUPPLY.

We have read and heard a great deal within the last few months about the beef supply of the country. There is no doubt that our population is increasing more rapidly in proportion than our production of beef, and unless some relief is found for this situation it is only a question of time when instead of having beef for food our laboring classes will have to live on black bread, as they do in Europe, and meat will be a luxury with them. There is no occasion for allowing any such condition to arise. If the irrigable lands of the one State of Montana were reclaimed, that single State could produce more beef in one year than the whole arid region produces to-day. There is not a doubt in the world about that. It takes from 20 to 40 acres of average dry range to support 1 steer for a year, and 1 acre of irrigated alfalfa will carry a steer for four hundred days. If the irrigable arid public lands are reclaimed and divided up among small farmers who will irrigate their lands and raise alfalfa for stock, we can increase our beef supply as fast as our population increases for many years to come, and all danger of a beef famine will be passed.

There is no objection raised to this proposed plan being undertaken by the Government which is a sound objection.

We have been told that the Government, which is the owner of these lands, should not reclaim them itself, but should cede them to the States. It is a sufficient answer to that to say that many State grants have been already made of different amounts of land and for different purposes, and the experience of the past has demonstrated beyond any question that the States can not be safely intrusted with the reclamation and settlement of these lands. No matter what conditions might be imposed on such a grant, schemers and speculators would find some way of manipulating the State legislatures and getting control of the lands in large tracts which would retard settlement.

Another objection urged is that the reclaiming and settlement of the West will benefit the railroads. There is nothing that we can do to promote the welfare and prosperity of the whole people that will not benefit the railroads. The settlement of Illinois has undoubtedly benefited the railroads of Illinois, and the settlement of the West will benefit the railroads of the West; but it will benefit everybody else at the same time, and I think we have not yet reached such a stage of blind prejudice in this country that we are willing to forego benefiting the whole people because the railroad companies would participate in the benefit. Nothing is more widely disseminated than the money which is paid as the cost of transportation. It makes employment for the men who operate the roads, for the men who build the roads, for the factories that make everything for use in construction or operation—rails, rolling stock, terminal depot buildings, and everything else.

Again, we are told that we are beginning a raid on the Treasury. This objection is entitled to the least consideration of any of them. Under the plan of this bill the proceeds from the land

are to be set aside as a fund for the construction of the irrigation works, and the investment in each irrigation system is to be repaid by the settlers who get the land, and every dollar invested comes eventually back to the Government. Not a dollar of tax is imposed on any Eastern farmer or Eastern citizen. It is only justice to those arid and semiarid States that the proceeds realized from their resources should be devoted to the reclamation of these vast uninhabitable wastes until communities can be created there which will be a basis for State taxation and provide for the expenses of the governments of these Commonwealths.

In some of the Western States more than three-fourths of the entire area of the State is Government land contributing no revenue to the State, and yet the State has to maintain law and order over the entire region. The only way to provide a permanent revenue for the State is to bring about the reclamation and settlement of the land. The only way that that can be done is for the National Government to do it, and this bill provides a conservative and sensible plan for accomplishing it.

I believe that the proceeds from the sale of the public lands will be increased by the carrying out of the plan provided for in this measure. Wherever new areas are irrigated and communities built up, railroads will be built, mines will be opened, lumber will be needed, and mineral lands, timber lands, oil lands, and grazing lands will find purchasers, whereas otherwise there would be no demand for them.

The idea that the charges upon the land for the construction of the irrigation works will be finally remitted by the Government is another wrong conception. The settlers on these lands will be getting water from the Government works each year, and during the time they will be paying for their water rights they will much prefer that the Government should continue in charge of the system. And, more than this, the whole sentiment of the West will oppose any diminution of the fund, because the general development of that great country will be speeded by maintaining the fund intact and getting it back for reinvestment from each system of works that is built.

But even if it were so—which I deny—that the Government would not get back its investment from the land itself, it will get it back many times over in the form of revenues from the population created upon these arid lands. We have collected an annual revenue of as high as over \$700,000,000 from 76,000,000 people—nearly \$10 apiece for every man, woman, and child in the United States. If we were to carry to its full fruition the great project under consideration, the result would be a population in the Western half of the United States equal to the whole population of the country to-day, and the Government could collect in revenue from that population during each two years more money than it would ever be called upon to expend for the reclamation of the arid region.

Generally we say that statesmen are born about forty or fifty years before their time. We say to you that these gentlemen who are opposing this bill were born one hundred years too late. [Laughter.] If they had wanted to save this great expense to the Government, they should have been born one hundred years ago. They should have set up bars or guards all along the Allegheny Mountains. They should have prevented the people from coming West at all. They should have prevented the settlement of the Mississippi Valley. They should have prevented the Louisiana purchase. They should have prevented the passage of the homestead law. They should have prevented us from acquiring the lands which were ceded by Mexico. They should have prevented us from getting Washington and Oregon and Idaho. They should have prevented the annexation of Texas. Had they lived one hundred years ago they might have been regretting that Columbus had discovered America. If they are right now, it would be better for the country lying east of the Mississippi River if we could destroy everything between the Mississippi River and the Pacific Ocean. But, unfortunately for them, it is too late to do that. They should have been born one hundred years ago so that they could have prevented all that great Western region from being acquired or settled. In the interests of the Treasury they should have kept you from crossing the Allegheny Mountains. That is what they should have done. [Laughter and applause.]

The CHAIRMAN. The time of the gentleman has expired. Debate is closed on the pending amendment.

Mr. CANNON. I withdraw the pro forma amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The question was taken; and the Chairman announced that the yeas appeared to have it.

Mr. RAY of New York. I demand a division on that, Mr. Chairman.

The committee divided, and there were—ayes 35, yeas 75.

So the amendment was rejected.

The CHAIRMAN. Does the gentleman from Pennsylvania offer an amendment? If so, he will send it to the desk.

Mr. UNDERWOOD. I call for the regular order.

Mr. STEELE. Did not he offer the amendment?

The CHAIRMAN. He did not offer it.

Mr. STEELE. I offer it.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment which the Clerk will report.

The Clerk read as follows:

In line 4, page 1, after the word "lands," insert "less the cost and expense of the administration and management thereof."

The CHAIRMAN. The question is on the amendment of the gentleman from Pennsylvania.

The question was taken, and the chairman announced that the noes appeared to have it.

Mr. DALZELL. Division, Mr. Chairman.

The committee divided, and there were—ayes 35, noes 69.

So the amendment was rejected.

Mr. DALZELL. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend as follows: At the end of line 7, page 2, add the following:

"Provided, That from such receipts shall be first deducted the pro rata share of the expense of the public-land service, based upon receipts and expenditures."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

SEC. 2. That the Secretary of the Interior is hereby authorized and directed to make examinations and surveys for, and to locate and construct, as herein provided, irrigation works for the storage, diversion, and development of waters, including artesian wells, and to report to Congress at the beginning of each regular session as to the results of such examinations and surveys, giving estimates of cost of all contemplated works, the quantity and location of the lands which can be irrigated therefrom, and all facts relative to the practicability of each irrigation project; also the cost of works in process of construction, as well as of those which have been completed.

Mr. RAY of New York. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 2, section 2, lines 24 and 25, strike out the words, "including artesian wells."

Mr. RAY of New York. Mr. Chairman, I desire to have this House understand what we undertake to do if we enact this bill into law. You are not content with taking the waters on the face of the earth for the purpose of irrigation, but, if you can not get waters from springs, lakes, rivers, and creeks and bring them to the arid lands, taking them away from other sections of the country and other States, you propose to go into the business of sinking artesian wells, expending money in large sums for that purpose. I understand that the gentlemen from Kansas are all in favor of this scheme. Why should they not be? The State of Colorado has appropriated and taken the waters of the great rivers that rise in Colorado and flow through Kansas. Kansas has arid lands and semiarid lands. She can not get the water from the natural streams to irrigate them, and she has sued Colorado. She may or may not succeed in her litigation. She comes here and wants us to furnish the water to supply the place of that which an irrigation scheme up in Colorado has taken away from them.

What do you propose by this bill? What is urged here by gentlemen in regard to supplying Kansas and other States with water? That we sink artesian wells. It is a conceded fact, it is alleged under oath by the officers of Kansas, that they do not have in their State and can not obtain water for irrigation purposes from rivers, springs, or small streams. The only way Kansas can get it is by sinking artesian wells. That is experimental work. We may sink an artesian well that will cost \$500, \$5,000, or \$15,000. We may sink a well and get some water, but will we ever get enough in this way to irrigate the arid land in Kansas? I doubt it. I think this a waste of money. I claim and assert that it is not only a waste of money, but that it is a foolish scheme, and that it ought not to be retained in this bill.

Mr. TONGUE. Will the gentleman permit a question?

Mr. RAY of New York. Yes; if it is a short one.

Mr. TONGUE. Is the gentleman aware of the fact that Congress is annually providing by expenditure from the Treasury for doing this thing, and that this bill relieves the Treasury and puts the burden on the arid-land fund?

Mr. RAY of New York. I am aware that the Congress of the United States is not doing anything of the kind. I am aware that the Geological Department in the West is doing some experimental work.

Mr. TONGUE. Who appropriates the money?

Mr. RAY of New York. Oh, the Congress of the United States is appropriating the money for this experimental work; but thus far it has proved a foolish expenditure of money and a useless undertaking. It is so conceded. Before the Arid Lands Committee I made the inquiry why it is the States having arid lands do not irrigate them themselves, why they did not carry on the

work; and the answer was, by a gentleman who knows the facts, that they had tried it, and that it does not pay. Still the Representatives of these States come here, and you gentlemen seem to be inclined to authorize a scheme already demonstrated to be impracticable—that has failed in the States. The gentleman who wrote the majority report on this bill has admitted, and he can not deny it now, that the reason the States can not carry on this work successfully is that they do not have the money, that they have not the wealth with which to do the work, and therefore they appeal to Congress.

My good friend knows that the proceeds of these arid lands will never fully establish, construct, and put in operation these irrigation projects. My good friend knows that it will not be five years before these States will be here asking money to preserve these works. The following from the Journal of Commerce sheds some light on the subject and demonstrates the unwisdom of the scheme:

#### IRRIGATING AND LOOTING.

The purposes of the irrigationists have been exposed. There never was any doubt that their project was a scheme for using public money to increase the value of private property. The original irrigation bill did not show this and surprise was expressed at the moderation of that measure. But having won some degree of public confidence by their apparent conservatism, the representatives of the arid States have since amended the bill into the shape in which they wish it. One of the amendments is a clause inserted in the bill providing that "State and Territorial laws shall govern and control in the appropriation, use, and distribution of the waters rendered available by the works constructed under the provisions of this act."

To ascertain the full significance of this amendment it is necessary to go to the Report of the Secretary of Agriculture: "A few States have enacted enlightened codes of water laws, \* \* \* but there are other States where investors in irrigation works and incoming settlers must depend on what they see, or on the statements of other settlers, in determining what is their prospect for securing the water supply needed in irrigation. Neither of these sources of information can be relied upon. \* \* \* The chaotic and conflicting records of claims (in California), the uncertain limitations on riparian rights, and the failure to protect all rights by the public division of the water supply in times of drought has been a source of anxiety to the user and of expense and loss to the not less worthy owner of ditches and canals. The marvelous natural advantages of the State have been sufficient to offset these drawbacks, but the larger and better use of water in the future is dependent upon their removal. Especially is this true if the Government is to construct irrigation works. Under present conditions no one knows who would control the water made available by public funds. No one knows whether the needy user or the speculative holder of a water title would reap the benefits of this expenditure. The report on irrigation in Utah, soon to be published by this Department, shows with equal clearness the need of laws to insure stability and justice in the distribution of the water supply. These reports will be followed by similar investigations in other arid States."

The language of the President is: "With a few creditable exceptions the arid States have failed to provide for the certain and just division of streams in times of scarcity. Lax and uncertain laws have made it possible to establish rights to water in excess of actual uses or necessities, and many streams have already passed into private ownership, or a control equivalent to ownership. \* \* \* Ultimately it will probably be necessary for the nation to cooperate with the several arid States in proportion as these States by their legislation and administration show themselves fit to receive it." The President contemplates the extension of national aid after the States have corrected their water laws; the representatives of the States propose to take the money at once and to affirm the whole mass of local legislation.

It is this chaotic mass of legislation and local custom which the irrigation bill, as the representatives of the arid States have amended it, will affirm and perpetuate. Secretary Wilson says that "no one knows who would control the water made available by public funds. No one knows whether the needy user or the speculative holder of a water title would reap the benefit of this expenditure." There is no doubt, however, that the advocates of the irrigation scheme know pretty well who would benefit by the affirmation of the local laws. It is not for public benefit that the irrigationists have put up the money for a periodical and two offices and a series of annual conventions. They have a pretty definite idea of what they are after.

Our Washington letter shows that the dimensions of the raid on the Treasury are five or ten million dollars a year for many years. The estimate of the Industrial Commission, which entered into this scheme with injudicious and unjudicial enthusiasm, put the total at \$15 an acre for 20,000,000 acres, or \$300,000,000; but while some irrigation costs less than \$15 an acre a good deal costs over \$20. The President tells us that \$300,000,000 of private capital is already invested in irrigation works and several States have made extensive improvements in that line. The most expensive and least remunerative parts of the work will be left for the United States to do.

All the irrigation that is profitable will be done by private enterprise, and the lands benefited will pay the cost, as they should. The irrigation that will not pay should not be done at all. The Government has no business to raise the value of land held by private owners \$20 or \$50 an acre and get back indirectly and after a long time only a part of the cost of the improvement.

Mr. George H. Maxwell, representing the National Irrigation Association, has repudiated the bill in its present shape on the ground that "every open opponent of national irrigation will hail it as a confirmation of the charge that the whole movement is a scheme of speculators and land grabbers to loot the National Treasury for private profit."

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SHAFROTH. Mr. Chairman, I move that debate close on the pending paragraph and all amendments in ten minutes.

Mr. RAY of New York. Oh, do not let us do business in that way. I have another amendment which I desire to offer at the end of the paragraph.

Mr. SHAFROTH. Well, make it fifteen minutes.

The CHAIRMAN. The gentleman from Colorado moves that all debate on this pending paragraph close in fifteen minutes.

The question was taken; and on a division (demanded by Mr. RAY of New York) there were—ayes 60, noes 14.

Mr. ROBINSON of Indiana. No quorum, Mr. Chairman.



The CHAIRMAN. The gentleman from Indiana makes the point of no quorum. The Chair will count. [After counting.] One hundred and twenty-one members present, a quorum. The ayes have it, and the motion is agreed to.

Mr. MONDELL. Mr. Chairman, I would not occupy the time of the House at this stage of the bill were it not for the fact that the gentleman who just preceded me [Mr. RAY of New York] has said that I have admitted that we were asking the National Government to undertake this work because the States can not undertake it, or have failed in the attempt to do so. I do not know when I said anything of that kind. I do not recall that I ever said anything of the kind. If I did, it must have been in my dreams.

It the first place, Mr. Chairman, the States have never undertaken the work of irrigation to any considerable extent, and for a number of reasons, the first of which is that the States in the arid region own comparatively little land. The second place—and this is the reason I stated yesterday as the most potent one why the States can not undertake this work—is that the Government owns practically all the land in the arid States. In the State in which I live there is only 4 per cent of the land in the hands of private owners, including corporations. Ninety-six per cent of all the land pays no tax. Upon 4 per cent of our land we must support our institutions. And now the gentleman says that a State so situated ought to be able to irrigate the Government arid lands.

Mr. HEPBURN. Will the gentleman permit a question?

Mr. MONDELL. Certainly.

Mr. HEPBURN. Did not the State of Wyoming receive all of the sixteenth and thirty-second sections—

Mr. MONDELL. Yes; they received them.

Mr. HEPBURN. And the sixteenth and thirty-second sections made more than 6 per cent of all the lands in the State, and with the other land grants made nearly 8 per cent of all the lands of Wyoming owned by the State.

Mr. MONDELL. Does not the gentleman also understand that the school lands—sections 16 and 36—may be mountain tops, may be nonirrigable; that as the irrigable valleys are narrow, only an infinitesimal percentage of the school lands in place can ever be irrigated? Further, the constitution of my State prohibits the State from undertaking any work of internal improvement.

But the Government is the owner of this great domain; the Government controls this great area, and we simply ask that the Government use the proceeds of the sales of the land there for the purpose of making the irrigable land fit for cultivation and habitation; and then we propose that the settlers on those lands shall do—what? Not what the settlers in the Mississippi Valley did, secure their lands ready for crops without money and without price, but that they shall pay to the Government every dollar of its expenditure in bringing water to their land, and, in addition to that, the great cost of building laterals, of leveling the land, and preparing it for irrigation.

Mr. ROBINSON of Indiana. Did not the gentleman's State avail itself of the provisions of the Carey act granting a million acres to the State, and thereunder has not that State irrigated 60,000 acres?

Mr. MONDELL. The State did; and I will say to the gentleman, as a proof of what the Government may do under this bill, that my State has in a small way under the Carey act been quite successful and will continue the work under that act after this act is passed.

Now, Mr. Chairman, the gentleman from Illinois [Mr. CANNON] appealed to me as to whether or not it was probable that the proceeds of the sales of the public lands would develop the irrigation possibilities of the arid region. I believe they will. I believe that we shall receive sufficient funds from the sale of the public lands in that region to carry on all of the irrigation work that it is necessary the Government should undertake to carry on. I believe that the fund of two and a half to three million is sufficient for the present and that the fund will be augmented as the irrigated lands are sold, so that we shall have enough to carry on the work as rapidly as lands are required for settlement.

The people of the West accept this measure as the settlement of that question. We opposed the amendment offered by the gentleman from Pennsylvania because it would not leave us a sufficient sum for the reclamation of our country; but if our lands are pledged to their own reclamation we believe that the arid West will reclaim itself, without the cost of a penny to any American citizen. We can not, of course, bind future Congresses, nor can we bind ourselves as to what we shall deem it our duty to advocate in the future. We now believe the fund we provide will be sufficient for the purposes intended, and certainly no direct appropriation will be granted from the Treasury unless Congress shall in its wisdom see fit to do so. If we do our duty here to-day and pass the bill, we can trust future Congresses will do theirs. [Applause.] [Here the hammer fell.]

Mr. HEPBURN. Mr. Chairman, if I were not one of the most amiable and polite men in this House, I would take the liberty of saying that the proposition involved in this bill is the most insolent and impudent attempt at larceny that I have ever seen embodied in a legislative proposition. These gentlemen simply do what? They ask us, in the language of the gentleman from Nebraska [Mr. BURKETT], to give away an empire in order that their private property may be made valuable.

Mr. MONDELL. Will the gentleman yield for a question at this point?

Mr. HEPBURN. I would rather not.

Mr. MONDELL. I would like to ask the gentleman a question about his own State, as to whether or not the great State of Iowa was not given away?

Mr. HEPBURN. No, sir.

Mr. MONDELL. I lived on a homestead there when I was a boy.

Mr. HEPBURN. No, sir; the great State of Iowa was not given away. Even the lands that were granted to the railways the people of Iowa paid for by having to pay for the double minimum on the alternate acres, and the homestead act was not passed, the gentleman ought to know, until 1862, and Iowa had been taken up before that, and you could almost number the homesteads granted to people of Iowa on your fingers.

Mr. MONDELL. I wish to call the gentleman's attention to the fact that as a boy I lived on a homestead in Iowa, grew up on a homestead in Iowa, and I know of four Iowa counties that were settled in two years under the homestead act.

Mr. HEPBURN. Oh, the gentleman is certainly mistaken. There was no such condition of public lands in the State of Iowa in 1862, when this act became a law. He is mistaken about it. Even the swamp lands that were given to Iowa we had to reclaim and did reclaim. The people did it. I undertake to say that of the 7,000,000 of acres—

Mr. REEDER. Will the gentleman permit a question?

Mr. HEPBURN. I would rather not. The 7,000,000 of acres that have been taken up in the State of Wyoming are the lands that are now capable of irrigation; they are the lands that can be irrigated, and this proposition is that we shall give away the proceeds of 550,000,000 of acres of land in order that the present owners in the State of Wyoming and in other States shall have their lands reclaimed at public charge. That is the proposition, and you gentlemen know it, and that is what you are after. I remember that the gentleman from Nevada [Mr. NEWLANDS] has said that there would not be more than a few millions of acres that would be capable of irrigation. Another gentleman has said that the land along the streams had been taken up. That is true. We know that. The lands along the streams are the lands that are level and that are susceptible of irrigation, and those are the lands that are to be the beneficiaries of this immense grant. Besides, Mr. Chairman, if that was not true I would be opposed to this bill. To-day from 20 to 25 per cent of the agricultural products of the United States are a surplus, so far as our own home consumption is concerned, and we are compelled to go abroad for a market.

Mr. REEDER. Will the gentleman permit a question?

Mr. HEPBURN. I would rather not. I have told the gentleman so. I do not want to be impolite, but I want to use my five minutes. It seems that five-minute periods are getting pretty scarce in the timidity of you gentlemen. [We have got this surplus. Every new farm increases that surplus. That surplus goes abroad, enabling the foreign purchaser to fix the price, and the foreign price fixes the price here at home, and I say with great deference that, in my judgment, any gentleman who comes from the great producing agricultural States is mistaken when he, by his vote here, assumes that his constituents are after more of this ruinous competition. When the time comes that these agricultural lands are needed, then is the time for their reclamation.]

Let the people who are to be the beneficiaries then reclaim them, as we have had to do in the other States. That is wise. Again, here this proposition appropriates four and one-half millions of dollars. Why, gentlemen say that it is simply the proceeds of the lands, that they go into the Treasury, they become a part of the common fund. There is no difference, except for the speciousness of it, between a direct appropriation and the appropriation of the proceeds of the public lands. We might as well put our hands into the Treasury and take it out as to adopt this circuitous method.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BELL. Mr. Chairman, I wish to say that if this bill is a fraud, as charged by the gentleman from Iowa [Mr. HEPBURN], it is unfortunate that every officer of the Government of the United States whose duty it has been to study this question is a party to that fraud.

Capt. Hiram M. Chittenden, of the Engineer Corps of the United States Army, recently said that this work was as legitimate a

duty of the Government as it is for it to dredge harbors and build light-houses. The Hydrographer of the United States has insisted for years that every great nation having arid land has been compelled to reclaim it through public funds, and that we should reclaim ours.

The Director of the Geological Survey has been one of the mainstays in pressing the passage of this bill, contending that it is a public duty and would be a great public benefit.

The Industrial Commission recently appointed by the President declared that this is a public duty and insisted that the Government should build one or more large reservoirs or diversion works at once along the exact lines of this bill; and it reported such a recommendation to Congress, which was signed by Hon. Albert Clarke, chairman, of Boston; Hon. BOIES PENROSE, Senator from Pennsylvania; Hon. THOMAS R. BARD, a Senator from California; Hon. J. J. GARDNER, a member of Congress from New Jersey; Hon. THEOBOLD OTJEN, a member of Congress from Milwaukee; Hon. William Lorimer, an ex-member of Congress from Chicago; Hon. John M. Farquhar, an ex-member of Congress from New York; Hon. Thomas W. Phillips, an ex-member of Congress from Pennsylvania; Hon. J. L. Kennedy, of the District of Columbia; Hon. Charles H. Litchman, from New Jersey, and Hon. D. A. Tompkins, of North Carolina, all life-long Republicans.

The Secretary of Agriculture says if they will pass this bill and not disturb the sugar tariff that he will soon teach the agriculturists to grow the \$100,000,000 worth of sugar that we now import from abroad.

The Secretary of the Interior asserts in his report that it is necessary that we begin the building of these reservoirs that our homeless population may secure homes.

The President of the United States says that it is an imperative duty that these reservoirs be built.

[Now, the gentleman from Iowa [Mr. HEPBURN] talks as though the surplus of agricultural products was a detriment to our trade. The many good crops that we have had in the last three or four years have made our prosperity.] Are you looking at the stock boards daily? What is the stock report from New York yesterday?

NEW YORK, June 12, 1902.

The stock market relapsed to-day into a torpid condition, and dealings fell off about one-third.

Now, why does it say they fell off one-third?

The reaction in the market was largely due to the better appreciation of the decrease in the coming wheat crop.

Was this slump in the stock market because it was feared that we would not have sufficient wheat for home consumption? No. The fears are that we will not have the usual millions of surplus bushels to keep our labor, our railroads, our farmers, our ship-owners, our elevator companies busy, and will not be able to keep the great balance of trade in our favor.

Does not every man who thinks observe that nearly three-fourths of our great export trade is from the farm and from the range? Whenever the field is cut short hard times come, labor is idle, steam cars and ships stand still. Whenever crops are cut short, distress is felt everywhere. With all that may be said about the beef trust and its evil methods, the recent rise in beef was occasioned, in part at least, by the short corn crop of last year. Scarce corn made high corn. High corn made high beef. Whenever you cut down the crop you cut down prosperity, and raise prices to the consumer, and lessen the amount of work to be done, and lower wages and consumption. I live across the main range of the great Rocky Mountains in Colorado. We do not produce corn, but we consume it. We do not manufacture, but we buy many manufactured goods. We do not corn-feed beef cattle, but we grow many of them and ship them to the corn States to be fed.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BELL. I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Colorado asks unanimous consent that he may proceed for five minutes. Is there objection?

There was no objection.

Mr. BELL. Mr. Chairman, our friends talk about this injuring the Middle West. We have heard the gentleman from Iowa [Mr. HEPBURN] before. He has declared upon this floor that he would never, while a member of this House, vote for the opening of a single acre of land while we had a surplus food product from our farmers. These great surplus products are what made Kansas, Nebraska, and Iowa the most prosperous agricultural States in this Union for three or four years last past. They not only shipped East, but to the phenomenal discoverers of gold in Cripple Creek, Leadville, and other parts of the West.

Train loads of corn have been going to the top of the Rocky Mountains and over onto the Pacific side ever since the mining camps have been thrifty, and the corn of Kansas, Iowa, and Nebraska in the last four or five years has been coming into that mountain country in train loads for the sheep feeders. The nights

are too cold for us to grow corn. We in that region have been the best customers the farmers of those States have had, and we will quadruple this market if you will permit us to do so. My friends speak of the overproduction of agriculture. That is nonsense. America must supply the shortage of the earth. I settled in a little valley where we thought a few years ago that we were planting a surplus of hay, alfalfa, fruit, and raising a surplus of honey bees. We found we had as good a fruit region as any in California. We had as good bee and cow pastures as could be found anywhere. The timid sold out and left, because they thought we would have a dreadful surplus. The moment it was announced that we could furnish a train of cars loaded with honey, cattle, or fruit, buyers came from New York, Chicago, St. Louis, Omaha, and Minneapolis for our products. We sell them now much easier than when we had one-fifth of the products. So it is with our world's trade. The world buyers go where the largest surplus productions are to be found. England went to Missouri and the Mississippi Valley to buy her mules for the South African war because of the great stock this valley carries. The basis of our prosperity is our great agricultural productions, and the stability of our institutions depends upon the home owners. They are interested in the country because they own a part of it. They will lay down their lives in defense of their firesides. The homeless millions struggling for a mere existence can well stand off and say that "whoever takes possession we are no worse off; we have no interest in the country except in its miseries."

The home builders have ever been the most humane, the most inexpensive and successful governors. Every government of earth having any considerable amount of arid land has reclaimed it for the home builders. England is now putting tens of millions into damming and reservoiring the Nile and has expended hundreds of millions in India. England has made this pay. Australia is reclaiming her arid domain for the home builders. An agent of this Government cites our efforts to reclaim our arid lands by private capital as a dismal failure.

The home has ever been esteemed as the basis of the government. It is the great humanizer and civilizer of the world. We are spending hundreds of millions of dollars in trying to build up happy homes for alien peoples. Can anyone doubt the good-sense policy advocated by this bill in lending to the home maker a few millions to enable them to help themselves. Some members sneer at this home appeal for help for our own homeless and with a party spirit worthy of a better cause eagerly vote hundreds of millions to ameliorate the conditions of alien races in foreign lands. We may be lampooned by those fraught with sectional prejudice as mendicants and thieves for supporting this bill, but no Republican leader, however revengeful, will deny that we are in most respectable company, as we are gallantly led by a Republican President, by a Republican Secretary of the Treasury, by a Republican Secretary of Agriculture, by a Republican Director of the Geological Survey, by a Republican Hydrographer, by a Republican Superintendent of Forestry, by the engineers of the Government, and by every man whose duty it is to study these questions for the benefit of all the American people. [Applause.]

Mr. RAY of New York. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. RAY of New York. I ask unanimous consent for three minutes right here in connection with this amendment.

The CHAIRMAN. The gentleman from New York asks unanimous consent that he may address the committee for three minutes. Is there objection?

Mr. UNDERWOOD. I wish to state that I do not propose to object to the gentleman from New York, but that I do propose hereafter to object to any further extensions of time; and I desire to make that announcement now.

There was no objection.

Mr. RAY of New York. In presenting the amendment now under consideration I stated that the gentleman from Wyoming in effect, has said that the main reason why the States did not undertake this irrigation and why they should not undertake it, is a lack of funds and ability. The gentleman says he does not know where or when he said that, if he has said it. I desire to refresh his recollection and the recollection of the House. I hold in my hand the report of the committee, drawn by the gentleman.

Mr. MONDELL, from the Committee on Irrigation of Arid Lands, submitted the following report.

And on page 3, he says:

It has been suggested that inasmuch as the States control the waters used in irrigation and have the highest possible interest in the development of the territory within their borders, they should undertake such works as are beyond the reach or scope of private enterprise. The answer to this is that it is utterly impossible for the States in the arid regions to undertake this class of work to any considerable extent, owing to lack of funds with which to carry them on, if for no other reason.

That is what I referred to. I may have inaccurately stated the language before, but not the idea.



Mr. MONDELL. I ask that I may have two minutes to continue the reading of my report at the point where the gentleman from New York left it off.

Mr. UNDERWOOD. I hate to object to the gentleman from Wyoming, but I gave notice that I would do so.

Mr. MONDELL. I withdraw my request. I will print the matter in the RECORD.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York to section 2, which the Clerk will again report.

The amendment was again reported.

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. RAY of New York. Let us have a division, Mr. Chairman.

The committee divided; and there were—ayes 16, noes 70.

So the amendment was rejected.

The Clerk read as follows:

SEC. 3. That the Secretary of the Interior shall, at the time of giving the public notice provided for in section 4 of this act, withdraw from public entry the lands required for any irrigation works contemplated under the provisions of this act, and shall restore to public entry any of the lands so withdrawn when, in his judgment, such lands are not required for the purposes of this act; that public lands which it is proposed to irrigate by means of any contemplated works shall be subject to entry only under the provisions of the homestead laws in tracts of not less than 40 nor more than 160 acres, and shall be subject to the limitations, charges, terms, and conditions herein provided: *Provided*, That the commutation provisions of the homestead laws shall not apply to entries made under this act.

The committee amendments were read, as follows:

In lines 7 and 8 strike out the words "at the time of" and insert in lieu thereof the word "before."

In line 13, after the word "act," insert the following: "And the Secretary of the Interior is hereby authorized, at or immediately prior to the time of beginning the surveys for any contemplated irrigation works, to withdraw from entry, except under the homestead laws, any public lands believed to be susceptible of irrigation from said works: *Provided*, That all lands entered and entries made under the homestead laws within areas so withdrawn during such withdrawal shall be subject to all the provisions, limitations, charges, terms, and conditions of this act; that said surveys shall be prosecuted diligently to completion, and upon the completion thereof, and of the necessary maps, plans, and estimates of cost, the Secretary of the Interior shall determine whether or not said project is practicable and advisable, and if determined to be impracticable or unadvisable he shall thereupon restore said lands to entry."

The CHAIRMAN. The question is on agreeing to the committee amendments.

Mr. PADGETT. Mr. Chairman, I wish to offer an amendment to the amendment of the committee.

The CHAIRMAN. The Chair will suggest that the committee amendments be first disposed of. The Clerk will report the first amendment.

The Clerk read as follows:

On page 3, lines 7 and 8, strike out the words "at the time of" and insert the word "before."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The gentleman from Tennessee offers the following amendment to the amendment.

The Clerk read as follows:

Line 14, page 3, beginning with the word "at," strike out all down to and including the word "to," in line 16, and insert in lieu thereof the words "and shall at the same time."

The CHAIRMAN. The Clerk will report the amendment to the amendment offered by the gentleman from Tennessee.

The Clerk read as follows:

On page 3, lines 14, 15, and 16, strike out the words "at or immediately prior to the time of beginning the surveys for any contemplated irrigation works, to" and insert in lieu thereof the words "and shall at the same time."

Mr. MONDELL. Mr. Chairman—

Mr. SHAFROTH. Mr. Chairman, I move that all debate on this section and amendments thereto close in ten minutes.

The CHAIRMAN. That motion is not in order until debate has commenced.

Mr. PADGETT. Mr. Chairman, I shall take but a moment to call attention to the amendment. The provision as it now is has a hiatus or a time between the publication or the public notice provided for in the first part of the paragraph and the time that the Secretary is directed to withdraw the lands from entry as provided in that portion to which I offer the amendment. During that interval of time the lands are liable and susceptible of entry and can be taken up by speculators. If this amendment which I have offered prevails, the Secretary is required to make both publications at the same time, and to withdraw the land from entry, except under the homestead laws, at the time when he makes the first publication, so the speculators will not have an opportunity to enter the lands contemplated for irrigation, and in that way it will be reserved for homestead entry. The opportunity for speculators to take advantage of the first publication and enter all the lands susceptible of irrigation under the provisions of this law will be destroyed by the adoption of this amendment.

Mr. MONDELL. Mr. Chairman, the gentleman's amendment, instead of accomplishing the purpose which he says that he seeks to accomplish, I think would have quite the opposite effect. The bill provides that before the time of giving the public notice, etc., the public lands to be irrigated shall be withdrawn, so that under the provisions of the bill public lands can be withdrawn at any time. The moment the Secretary of the Interior has an idea of undertaking a survey for the irrigation of any tract, the lands to be irrigated can be withdrawn, and under the bill will be withdrawn. And, further than that, the Secretary of the Interior has the power, without this legislation, to withdraw public lands from entry at any time, and has recently withdrawn 2,000,000 acres from entry in Montana, pending the beginning of this survey.

A parliamentary question, Mr. Chairman. I understand the gentleman from Colorado moved that all debate on this section and amendments close in ten minutes.

The CHAIRMAN. The gentleman from Colorado did not make such a motion.

Mr. MONDELL. Then I make that motion now—that all debate on the pending paragraph and amendments close in ten minutes.

Mr. SHAFROTH. I move to amend that, and that all debate close in five minutes on this paragraph and all amendments.

Mr. ROBINSON of Indiana. I hope the gentleman will make it ten minutes.

The CHAIRMAN. The gentleman from Wyoming moves that debate close on the pending paragraph and amendments in ten minutes, and the gentleman from Colorado moves to amend that by making it five minutes.

Mr. UNDERWOOD. Mr. Chairman, I move as a substitute that all debate on the pending paragraph and amendments thereto now close.

The CHAIRMAN. The gentleman from Alabama moves as a substitute that debate on the paragraph and the pending amendments now close.

Mr. RAY of New York. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. RAY of New York. As I understand the matter, one gentleman made a motion that all debate close in ten minutes, and to that an amendment was moved that all debate close in five minutes. Now, while that motion with that amendment is pending the gentleman from Alabama, with his usual courtesy, takes the floor and assumes that these other gentlemen are not entitled to be heard and makes an independent motion.

Mr. UNDERWOOD. I made the motion, Mr. Chairman, as a substitute.

The CHAIRMAN. The Chair will state the question. The gentleman from Wyoming moved that all debate on the paragraph and pending amendments thereto close in ten minutes, and to that the gentleman from Colorado [Mr. SHAFROTH] moved an amendment that all debate close in five minutes, and then the gentleman from Alabama [Mr. UNDERWOOD] moved a substitute to close debate at once. The question is on the amendment offered by the gentleman from Colorado to perfect the original motion by the gentleman from Wyoming that all debate close in five minutes on the paragraph and the amendments thereto.

Mr. ROBINSON of Indiana. A parliamentary inquiry, Mr. Chairman. Is the motion debatable?

The CHAIRMAN. The motion is not debatable.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The question now recurs on the substitute for the original motion, proposed by the gentleman from Alabama.

The question was taken, and the substitute motion was agreed to.

The CHAIRMAN. The question now is on the original motion as amended by the substitute.

The question was taken, and the motion as amended was agreed to.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Tennessee [Mr. PADGETT] to the committee amendment.

The Clerk will report the amendment.

The amendment was again read.

The question was taken, and the amendment to the committee amendment was rejected.

The CHAIRMAN. The question is now on the committee amendment.

The question was taken, and the committee amendment was agreed to.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. JOY having taken the chair as Speaker pro tempore, a message from the Senate, by Mr.

PLATT, one of its clerks, announced that the Senate had passed without amendment bill of the following title:

H. R. 12865. An act regulating the use of telephone wires in the District of Columbia.

The message also announced that the Senate had passed with amendment bill of the following title; in which the concurrence of the House of Representatives was requested:

H. R. 9334. An act to amend an act to prohibit the passage of special or local laws in the Territories, to limit the Territorial indebtedness, etc.

The message also announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 6110. An act granting an increase of pension to Charles A. Cooke; and

S. 4067. An act granting an increase of pension to Julia L. Gordon.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to furnish to the House of Representatives a duplicate engrossed copy of the joint resolution (S. R. 100) authorizing the Secretary of War to furnish condemned cannon for an equestrian statue of the late Maj. Gen. William J. Sewell, United States Volunteers, in compliance with its request.

#### RECLAMATION OF ARID LANDS.

The committee resumed its session.

The CHAIRMAN. The Clerk will read the next paragraph.

The Clerk read as follows:

SEC. 4. That upon the determination by the Secretary of the Interior that any irrigation project is practicable, he shall give public notice of the lands irrigable under such project, and limit of area per entry, which limit shall represent the acreage which, in the opinion of the Secretary, may be reasonably required for the support of a family upon the lands in question; also of the charges which shall be made per acre upon the said entries, and upon lands in private ownership which may be irrigated by the waters of the said irrigation project, and the number of annual installments, not exceeding 10, in which such charges shall be paid and the time when such payments shall commence, the said charges to be determined with a view of returning to the reclamation fund the estimated cost of construction of the project, and shall be apportioned according to benefits. After giving the public notice aforesaid the Secretary of the Interior shall cause to be let contracts for the construction of the necessary works, in whole or in part, providing the funds therefor are available in the reclamation fund. In all construction work eight hours shall constitute a day's work, and no Asiatic labor shall be employed thereon.

The Clerk also read the following committee amendments:

Strike out all of section 4 and insert the following as section 4:

"SEC. 4. That upon the determination by the Secretary of the Interior that any irrigation project is practicable, he may cause to be let contracts for the construction of the same, in whole or in part, providing the necessary funds therefor are available in the reclamation fund, and thereupon he shall give public notice of the lands irrigable under such project, and limit of area per entry, which limit shall represent the acreage which, in the opinion of the Secretary, may be reasonably required for the support of a family upon the lands in question; also of the charges which shall be made per acre upon the said entries, and upon lands in private ownership which may be irrigated by the waters of the said irrigation project, and the number of annual installments, not exceeding ten, in which such charges shall be paid and the time when such payments shall commence. The said charges shall be determined with a view of returning to the reclamation fund the estimated cost of construction of the project, and shall be apportioned equitably: *Provided*, That in all construction work eight hours shall constitute a day's work, and no Mongolian labor shall be employed thereon."

The CHAIRMAN. The Chair will state the status of the section. The committee reports a substitute for the section. Amendments to the original section of the bill will of course be first in order, and then amendments to the substitute.

Mr. RAY of New York. Mr. Chairman, I could not hear the statement of the Chair as to what would be first in order.

The CHAIRMAN. A substitute for the original section is reported by the committee. The Chair states that amendments to the original section, if there are any, will be first in order, and after that amendments to the substitute.

Mr. SHAFROTH. Mr. Chairman, I move that debate on the paragraph and amendments close in ten minutes.

The CHAIRMAN. The Chair will remind the gentleman from Colorado [Mr. SHAFROTH] that the motion to close debate in the committee can not be made until the debate has commenced.

Mr. SHAFROTH. Debate has commenced.

The CHAIRMAN. The Chair and the gentleman disagree. The gentleman from Ohio [Mr. SNOOK] is recognized.

Mr. SNOOK. Mr. Chairman, I offer the amendment which I send to the desk.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Ohio [Mr. SNOOK] to the substitute.

The Clerk read as follows:

In lines 8 and 9, on page 5, strike out "in whole or in part," and in line 9 strike out the word "therefor," and insert in line 9, page 5, after "fund," the words "for the entire completion thereof."

Mr. SNOOK. Mr. Chairman and gentlemen of the committee, the part of section 4 which I seek to amend now reads as follows: That upon the determination of the Secretary of the Interior that any irrigation project is practicable, he may cause to be let contracts for the construction of the same, in whole or in part,

providing the necessary funds therefor are available in the reclamation fund, and thereupon he shall give public notice of the lands irrigated under such project. If amended will read as follows: "That upon the determination of the Secretary of the Interior that any irrigation project is practicable, he may cause to be let contracts for the construction of same, providing the necessary funds for the entire completion thereof are available in the reclamation fund, and thereupon he shall give public notice of the lands irrigated under such project."

It has been claimed by the friends of this bill in every part of the debate so far as I have heard that they do not intend, or at least they have intimated that they do not intend, to fasten upon the Government as a permanent policy the making of appropriations from year to year for the purpose of reclaiming these lands.

It was urged against this bill by the able gentleman who made the minority report that this section, as reported by the committee, would permit the commencement of these works, and that after they were commenced these people would come to Congress and say, "You have now invested a large sum of money in commencing these works; we do not want to see that money lost by the decay or falling down of the work; and we would like to have Congress make a permanent appropriation."

I have offered this amendment so that the Secretary of the Interior can not commence the work of reclamation or of building these reservoirs or dams until there is in this fund named in the bill sufficient money to wholly complete each project upon which he is about to enter.

It seems to me that if the gentlemen who favor this bill are in earnest in their declarations or intimations they should be in favor of putting into the measure this amendment to provide that the Secretary of the Interior can not enter upon this work until he has in hand the money on which to draw to fully complete the work.

To my mind the most dangerous part of this measure is that, as I believe, it commits this Government to the permanent policy of making an appropriation of from five to ten million dollars a year in the future for the reclamation of arid lands.

I heard the gentleman from Illinois [Mr. CANNON] challenge the gentlemen who were urging this measure to rise in their places and say to this Congress that they did not intend to come to future Congresses and ask for these direct appropriations. But the silence which has followed that challenge has been death like. No man who is in favor of this bill has yet said in this debate that he does not intend to ask in the future that this country shall be bound to a general policy of permanent appropriations to carry on this work, although without committing themselves they would like us to so understand until the vote is taken on the adoption of the bill. I think, Mr. Chairman, that is the worst feature of the bill, and for that reason this amendment of mine ought to be adopted.

But there are many other reasons why I oppose the adoption of this measure as a whole. The district which I have the honor to represent in this body is made up largely of low, level lands. They were originally covered with vast forests. When the farmer came to that country in search of a home he was confronted at the outset with the almost insurmountable task of felling and clearing away these forests.

This was accomplished only by the most incessant and severe toil. When he had cleared away the forest he found that his land was so level that at many seasons of the year it was wholly covered with water, so that it was impossible to raise a crop. At first he had no money with which he could pay for the drainage of his lands. He was compelled to rely on his own resources. So he hitched his horses to the plow and scraper and constructed the outlet ditches necessary to commence the work of drainage. Soon he was enabled to raise small crops, and he began at once to burden himself with taxation in order to raise further means to carry on the work. He then found that if he would be at all successful he would be compelled to arrange a complete system of drainage by placing tile drains in the land at intervals of eight rods apart.

He has accomplished all this by his own efforts. And every acre so improved has cost him in labor and money from twenty to forty dollars. As a result of this sacrifice he has had the satisfaction of knowing that he has developed and built up one of the richest and most productive agricultural districts in the world. I believe that the difficulties with which he was confronted were fully as great as those which confront the home seeker in the arid regions. He overcame all these difficulties unaided and alone. He never received, yea, more than that, he never asked, for a cent of Government aid.

[And now you propose to tax him and the fruits of his unaided toil to build up a great farming section where products will be raised to compete with those that he raises on the farm that he has made tillable without any assistance on the part of the Government whatever.]



I do not oppose the irrigation of the arid lands, and believe that they should be brought under cultivation as all other lands have been. I can not, however, believe that this is a just measure, and while I do not have time to make an extended argument against the bill, I desire to briefly sum up the reasons why, in my judgment, the measure should not be adopted, even though my amendment should be agreed to.

First. It is not what it or its friends pretend it is. During the course of this debate the claim has many times been made that it carries no direct appropriation, but seeks only to use the proceeds of the sale of the public lands. However, the terms of its first provision will eventually take from the States of this Union the money that has annually heretofore gone to support their agricultural colleges, amounting each year to the sum of \$1,200,000, also the annual appropriation for the maintenance of agricultural experiment stations, amounting to \$720,000. This sum of \$1,920,000 has heretofore been provided for from the proceeds of the sale of public lands, and the provisions of this section will leave these institutions for their support to a direct appropriation from the public Treasury. Thus it will be seen that the measure owes its existence to this provision providing for a direct appropriation from the public funds.

Second. Its advocates are not sincere when they argue that it does not create a public charge, for the reason that they refuse to permit an amendment confining the entire expense of inaugurating and operating the scheme to the fund arising from the sale of the public lands named in the bill.

Third. Its principles are in direct conflict with the teachings of my party, that the people of the States shall be left, as far as possible, to develop their own industries.

Fourth. Several of its provisions are in conflict with the Constitution.

Fifth. Guarded by few and indefinite regulations, it lodges in the Secretary of the Interior a most dangerous discretion.

Sixth. It undoubtedly commits the Government to the policy of making a direct appropriation from the public Treasury at the expense of the people of the whole country for the benefit of a single section.

Seventh. It will create a horde of new Government officers and employees, who like all that have gone before will never be called on to abdicate their office or employment.

Eighth. In the selection of sites for the various improvements it gives the Secretary of the Interior a power to exercise favoritism that will prove to be most troublesome and dangerous.

Ninth. It launches the nation in a great business enterprise, far from the seat of government, in the carrying out of which our experience has shown us there will be great waste and corruption.

In conclusion, I desire to say there is but one safe course for the nation to pursue, and that is to favor no State, no people, and no section, but render equal justice to all. [Loud applause.]

#### MESSAGES FROM THE PRESIDENT.

The committee rose informally; and the Speaker having resumed the chair, several messages in writing from the President of the United States were communicated to the House by Mr. B. F. BARNES, one of his secretaries.

The SPEAKER. If there is no objection, the Chair will lay these messages before the House now.

Mr. UNDERWOOD. I object.

The SPEAKER. Objection being made, the Committee of the Whole will resume its sitting.

#### IRRIGATION OF ARID LANDS.

The Committee of the Whole resumed its session (Mr. TAWNEY in the chair).

Mr. MONDELL. Mr. Chairman, I move that debate on this section and all amendments close in ten minutes.

Mr. SHAFROTH. I move to amend that motion by substituting fifteen minutes for ten minutes.

Mr. RAY of New York. Let me say a word.

The CHAIRMAN. The Chair will state the question. The gentleman from Colorado moves to amend the motion of the gentleman from Montana by making the time in which debate shall be closed fifteen minutes.

Mr. RAY of New York. Mr. Chairman, as a member of the Committee on the Irrigation of Arid Lands I made the report of the minority against this bill. I have several amendments which I desire to offer. I have two amendments to this section, then another amendment which is to strike out section 7. I have asked the gentlemen not to limit debate at this time. In defiance of that request they seek to cut off all debate.

Mr. MONDELL. Does the gentleman want unlimited debate?

Mr. RAY of New York. If you will allow the time to run on until I have had an opportunity to offer those two amendments and to speak on each of them for five minutes, I shall not have another word to say until we come to section 7, which I wish to

strike out; and if I fail in that, I shall have but little further to say in opposition to the bill.

Mr. SHAFROTH. You can have five minutes on those amendments when we come to section 7.

Mr. RAY of New York. But these two other amendments—

Mr. UNDERWOOD. I demand the regular order.

The CHAIRMAN. The regular order is demanded. The question is on the amendment of the gentleman from Colorado, to amend the motion of the gentleman from Wyoming so as to provide that the debate on the pending section and amendments be closed in fifteen minutes.

The question being taken, there were—ayes 73, noes 6.

So the amendment of Mr. SHAFROTH was agreed to.

The amendment of Mr. MONDELL as amended was then adopted.

The CHAIRMAN. Debate on the pending section and amendments will close in fifteen minutes.

Mr. LITTLEFIELD and Mr. RAY of New York rose.

The CHAIRMAN. The gentleman from New York is recognized.

Mr. LITTLEFIELD. Mr. Chairman, I would like to be recognized next, because I have an amendment that I would like to submit.

Mr. RAY of New York. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 5, line 9, strike out the word "therefor" and insert the following: "to fully complete and put into operation such irrigation project;" so it will read: "That upon the determination by the Secretary of the Interior that any irrigation project is practicable, he may cause to be let contracts for the construction of the same, in whole or in part, providing the necessary funds to fully complete and put in operation such irrigation project are available in the reclamation fund."

The CHAIRMAN. The Chair will state to the gentleman from New York that his amendment will have to wait until the pending amendment is disposed of. The question is on the amendment offered by the gentleman from Ohio.

On the request of Mr. HOLLIDAY, without objection, the Clerk again reported the amendment.

The question was taken, and the amendment was rejected.

Mr. RAY of New York. Mr. Chairman, I understand from the gentleman in charge of the bill, my colleague on the committee, that the gentleman from Maine [Mr. LITTLEFIELD] has an amendment on the same subject, which I understand him the committee will accept. I would like to have it reported, in order that I may know whether it covers the point.

The CHAIRMAN. Without objection, the Clerk will report the amendment for the information of the committee.

The Clerk read as follows:

Strike out, in line 9, page 5, at the beginning of said line, the words "whole or in part" and insert in lieu thereof the words "in such portions or sections as it may be practicable to construct and complete as parts of the whole project;" and strike out, in line 9, the word "therefor" and insert in lieu thereof the words "for such portions or sections."

Mr. HOPKINS. There is no objection to that, is there?

Mr. MONDELL. There is no objection.

Mr. LITTLEFIELD. I understand the committee will accept the amendment which I will offer, and perhaps that will facilitate matters.

Mr. HOPKINS. Mr. Chairman, I ask for a vote on that.

The CHAIRMAN. The gentleman from New York offered an amendment; and if he withdraws that and the amendment of the gentleman from Maine is offered in lieu thereof, it will then be before the committee for consideration.

Mr. RAY of New York. Mr. Chairman, it may be a little informal, but before I yield the floor or withdraw my amendment I would like to hear from the gentleman from Maine as to the effect of his amendment. I will withdraw mine if satisfied that his accomplishes the purpose I desire to accomplish by the amendment which I sent to the desk.

Mr. LITTLEFIELD. Mr. Chairman, the purpose of my amendment is simply this: It provides for the construction of irrigation works in portions or in sections, and requires that there shall be on hand reclamation funds enough to take care of each successive portion or section of the whole project, to obviate this proposition, which is a very serious one, that they might embark upon an expensive part and spend only a part upon that before they embark upon another and then come to Congress asking an appropriation for the balance in order to preserve the money already invested. This requires them to construct it piecemeal, by sections or portions, and they can not proceed with the contract until they have got money on hand to do it with. Do I make myself plain?

Mr. RAY of New York. Now, Mr. Chairman, I desire to say to the House that that does not cover a most serious objection to this bill from one standpoint. That is from the standpoint of those who believe it to be constitutional; and I desire to state why. The bill as it now reads authorizes the Secretary to commence this work and let contracts for the construction of the

same in whole or in part, providing the necessary funds therefor are available in the reclamation fund, the word therefore referring to a part. So he can let a contract for the construction of the mere foundation of a reservoir, then spend all the money in the fund, and then come to Congress and appeal for money from the general Treasury to complete that project, on the plea that it is necessary in order to preserve the work already begun.

The amendment of the gentleman from Maine [Mr. LITTLEFIELD] does not correct that evil. The amendment I send to the desk does correct it, because it provides in terms that there must be money enough in the reclamation fund to complete each project before the Secretary of the Interior is authorized to let a contract for the construction of the works made necessary by the adoption or the approval of that particular scheme. Therefore I insist on a vote upon my proposition.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. RAY].

The amendment was rejected.

Mr. LITTLEFIELD. Now I offer my amendment.

The CHAIRMAN. The gentleman from Maine offers an amendment, which has been reported.

Mr. LITTLEFIELD. Which is agreeable to the committee and the authors of the bill.

Mr. SHAFROTH. We have no objection to it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maine [Mr. LITTLEFIELD].

The amendment was agreed to.

The CHAIRMAN. The question now is on the amendment of the committee as amended.

Mr. PAYNE. Mr. Chairman, I think there is a little more time for debate on this.

The CHAIRMAN. Ten minutes more time. The gentleman from New York [Mr. PAYNE] is recognized.

Mr. PAYNE. Mr. Chairman, the bill has been stripped of all its subterfuges. The pretense was that no money was to come out of the Treasury for the purpose of irrigating these arid lands. It was all to be paid from the proceeds of the sale of the lands in these States and from the money that was collected of the people who entered upon the lands as settlers. That was the scheme which seemed to catch a good many members of the House. They thought it was a scheme to bring in a good many million acres of land without any expense to the country. Of course they did not stop to think that the three million or more dollars of money that comes into the National Treasury every year from this source for general purposes was to be taken and used in the first instance for the payment of these irrigation works. It will diminish the revenue by that much and increase the taxes upon the rest of the people of the United States by the amount of money that formerly came into this fund and was useful for general purposes.

Then, as we progressed, a motion was made by the gentleman from Ohio [Mr. GROSVENOR] to amend the bill so as to reserve the college land grants, or the grants from the sale of lands for the benefit of the colleges. I notice that every gentleman who advocates this bill voted against that amendment, which was simply notice to the people of the House and the people of the country that the claim that this irrigation was to cost nothing was a mere subterfuge. It was not fair to the House or fair to the people of the country.

Mr. GROSVENOR. Moreover, if the gentleman will allow me, it was a direct and deliberate slaughter of the future of the agricultural colleges, and everybody understands it.

Mr. PAYNE. Oh, no; these gentlemen intend to vote that money out of the Treasury for the colleges. No member of this House in favor of this bill can justify himself in the idea that this is not like a direct appropriation from the Treasury of the United States and a direct tax upon the people of the United States.

Then a motion was made to amend the bill so that the expenses of administration should come out of this fund, and these gentlemen said no. One of them said, in answer to my inquiry, that it was provided in another section of the bill, and while he was looking it up and trying to find it, another one said no, it was not provided in another part of the bill; but the difficulties were so great in separating these expenses that it could not possibly go in as an amendment, and therefore they must vote it down.

Now, what does that mean? If this bill shall pass—and, by the way, these were the answers made to the gentleman from Illinois [Mr. CANNON], when he asked if it did not entail upon the people of this country an expense of \$750,000,000? The answer was, by the vote of every man who favored this bill, to saddle this expense of the agricultural colleges, and to saddle the expense of administration, by taxation, upon the people of this country. And this is the only response I have heard to that inquiry. The most zealous and the most enthusiastic champions of this bill will admit that it will cost at least \$750,000,000. Another said \$800,000,000. These are the guesses now. What will the reality be? Who can say? Is my good friend who sits in front of me, the chairman of

the committee [Mr. MONDELL], able to say what it will cost the people of the United States? Why, I met a gentleman who represents a New Jersey farming district, who said he went out home the other day and drove along the road, and the farmers stopped their plows and their teams in the middle of the furrow and came out to him and said, "Do not vote for that irrigation bill, because it means to put a tax upon us to furnish lands for somebody else."

Now, gentlemen, if you intend that this money shall come out of the Treasury and the taxpayers of the United States, why not say so? You have got votes enough to pass your bill, evidently. Why not be honest with the people of the United States and say so, and let us understand what the proposition is? You know it will come out of the Treasury of the United States. Every dollar of this fund that is diverted comes out of the Treasury of the United States.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PAYNE. I would like to have two minutes more, and then I will not bother the committee any more.

The CHAIRMAN. The time for debate closes in five minutes.

Mr. MONDELL. I ask unanimous consent that the gentleman may be allowed two minutes.

Mr. UNDERWOOD. I demand the regular order.

The CHAIRMAN. The regular order is demanded.

Mr. PAYNE. Do I understand the gentleman from Alabama to object?

Mr. UNDERWOOD. I notified the committee some time ago that I would object to further extensions of time.

Mr. GLENN. Mr. Chairman, before entering upon an argument as to the merits of national aid to irrigation I feel it my duty to answer, in some measure at least, the objections made on yesterday by the gentleman from New York [Mr. RAY]. His principal objection seemed to run to the constitutionality of the bill under consideration. Without attempting to cite any constitutional authorities, as I think it wholly unnecessary, the gentleman having already committed himself in that he admitted that it was within the prerogative of Congress to improve rivers and harbors, especially if the improvements were to be made to the harbor of New York. Why should the Government make such improvements? I answer, because by so doing it is providing facilities for transportation of the various products of the United States, thus creating wealth. Apart from transportation there is no wealth, and I can not conceive that any article of manufacture or product of forest or farm or of the mine, outside of the local use of such articles or products, can possess the least value, and no value can be created for such articles or products until means of transportation are created, so as to convey these articles to some other point for exchange. Now, if transportation gives value and creates wealth for the nation, it is right for the Government to create and improve everything that will facilitate the creation of wealth. If the irrigation of 55,000,000 acres of land will increase its value to the extent suggested by the gentleman—that is to say, from ten to twenty times its original value—then is it not true that irrigation of the arid lands will increase the national wealth, and is it not therefore right and most eminently proper under the Constitution for the Government to inaugurate a system by which the wealth of the nation will be so greatly augmented?

Another objection was that railroad companies owning large areas of arid lands would be great beneficiaries. For reply to this I have only to say, if the statement of the gentleman from New York be true, and I believe it is a fact, is it not true that each private owner, whether it be an individual, a copartnership, association, or corporation, will be subject to the same rules and regulations as the individual settler or homesteader, and will have to pay the same price for the water per acre-foot? If railroad companies shall be benefited thereby, is it or not true that is because of the increased value or wealth? And if this be true, then it is a proper enterprise for the Government to undertake, and certainly comes within the constitutional powers of Congress, as much so, at least, as to improve rivers and harbors out of the National Treasury, the propriety of which and absolute necessity for which are admitted by all thinking men.

Mr. Chairman, in presenting this question a mere statement should be and would be sufficient to commend irrigation to each and every member of this body, if each and all were familiar with the territory and its possibilities, known as the arid regions lying west of the one hundredth meridian, and comprising all that area included in the States of California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming, and the Territories of Arizona, Oklahoma, and New Mexico.

In order to more fully comprehend the situation, we must first remember that the United States Government is the owner of about 600,000,000 acres of land, of which about 55,000,000 are supposed to be susceptible of reclamation, the greater portion of which is absolutely worthless in its present arid condition, and



to improve this condition and give such lands value, irrigation must be resorted to, and the United States Government only can make this improvement. If an individual owned these lands and had the financial ability to convert this worthless waste into good farms, from which he could derive immense revenue, and should fail to do so, the world would pronounce him an improvident fool; and were he a trustee, equity would hold him responsible for his gross mismanagement and conduct in care of the estate. Now, it is not true that the Government holds these lands as trustee in trust for all the people, and if good business methods should obtain with the individual, why should not the people demand of this Government the exercise of the same correct business principles?

The Government owns the watersheds and the lands; the flowing streams, to the extent of their flowage capacity, have been appropriated by the people and no further reclamation can obtain until some method of conserving the waters of those streams, which, under present conditions, run to waste during winter and springtime, is inaugurated. Now, with water in abundance convenient to the lands upon which it could be used, is it not and would it not be in perfect accord with good business methods to reclaim these lands, place settlers thereon, and thus give value to the lands and homes to the settlers who anxiously await the advent of the national irrigation morn?

Mr. Chairman, the cost of constructing reservoirs, should the Government undertake it, is, so to speak, making one hand wash the other; that is to say, the lands in the arid belt must be the source from which all revenues for the purpose of making the improvements, such as dams, reservoirs, and canals, must be derived.

The bill under consideration provides that the moneys arising from the sale of public lands within the arid region may be used for this purpose. It therefore follows that the arid lands must reclaim themselves without depending on any other source for revenue for said purpose. Then, if irrigation of these public lands without cost to the Government will render millions of acres of land susceptible of being converted into beautiful homes, increasing the wealth of State and Government, why should any objection to the bill under consideration obtain. This bill was formulated by the members of both Houses representing the arid States and Territories, critically examined and passed upon by the committee of the Senate and agreed to by that body, carefully examined and favorably reported by the committee of this House, recommended by the President of the United States, and advocated by both the Democratic and Republican parties in national conventions assembled in the year 1900, the Republican party adopting as a part of its platform the following sections or paragraphs, to wit:

In pursuance of the constant policy of the Republican party to provide free homes in the public domain, we recommend adequate national legislation to reclaim the arid lands of the United States, reserving control of the distribution of waters for the irrigation of the respective States and Territories.

The language of the Democratic platform on this subject is as follows, to wit:

We favor an intelligent system of improving the arid lands of the West, storing the waters for purposes of irrigation, and the holding of such lands for actual settlers.

These are the two planks respectively contained in the platforms of said parties, and promulgated to the people of the United States, and held out as the articles of faith of the respective parties, advocated by campaign speakers of both parties, and adopted by the people of the United States at the polls in November, 1900. Now, each and every member of this House, elected as a Democrat or Republican or as indorsers of said platforms, or either of them, from a moral standpoint is bound to carry out the will of the electors by whose votes each and every one of us has the honor of being a member of the greatest legislative body on earth, of the greatest country on earth; and a failure to stand by and carry out a principle so clearly expressed in each of the said platforms should meet with a fitting rebuke at the polls at the next election.

Mr. Chairman, gentlemen may ask, Is irrigation by the Government necessary? I answer yes, for the following reasons:

The overcrowded condition of the population in the East in nearly every department, especially that of farming, demands that a safety valve whereby this condition may be relieved should be created. Farmers, young and old, all over the Eastern, Central, and Southern States are looking to the arid regions for homes, the supply in the vicinity of each having been long since exhausted. The West is the only region to which each of those longing to lead a rural life upon his own freehold can look with any degree of hope. Will you blast this hope or will you grapple with the situation, and by your votes say to these ambitious home lovers and home builders, behold, we have stayed the flood waters of the mountain streams that the desert may become covered with verdure, that you and your posterity may own and till, holding the same as an eternal heritage?

It is also necessary to provide some means of relieving the North Atlantic States from the great influx of foreign immigrants. The number of immigrants who have arrived in the United States within the four months ended April 30, 1903, is nearly double that of either of the two preceding years; that is to say, the number of immigrants who arrived in the United States during the first four months of 1900 is 149,994; for the same period in 1901, 154,042, and for the same months in 1902, 233,087. This last rate continued throughout the year would make a total increase for the year of 699,261. This immense increase annually will sorely tax the assimilative powers of the United States to their very utmost extent, for these people must find employment in the East or South, or go West and enter the agricultural arena and begin the fight for existence, or, failing in these, turn tramp and become a menace to the lives and property of the people.

It is also necessary to foster irrigation for the reason that making of an increased and increasing number of homes in the arid region will create a necessary additional market for a large portion of all products of the Eastern, Central, and Southern factories; a million settlers or homesteaders means a million consumers, besides their families. The South furnishing the cotton and products of the mill, the great empire of New York will find a growing market for her textiles, furnishing goods, gloves and mittens, leather and leather goods, publications, paper, musical instruments, refined sugars, carpets and rugs, hosiery and knit goods, hats, worsted goods, and various other articles; Massachusetts would experience an increased and increasing demand for the products of her cotton mills and shoe factories; Pennsylvania will have to increase the capacity and output of her iron and glass works; Virginia will find it necessary to increase her acreage of tobacco and the capacity of her factories; Kentucky will experience a new and growing demand for her tobacco, hard woods, and the products of her wagon and plow factories; Ohio, Illinois, and Michigan will have to rise earlier and work later to meet the demands of this new empire for the products of these States, respectively; so each and every State east of the one hundredth meridian will be a beneficiary of this national enterprise.

It is also necessary for the United States Government to inaugurate this system, because it is a well-known fact that the range of the arid regions is so diminishing annually as to endanger the stock business of that section, upon which a large portion of the Eastern people are dependent as a source of meat supply, it being only a question of time when the stock raisers can no longer depend upon the range, and they will have to resort to the irrigated lands to sustain their stock or retire from business. The latter course, if adopted by them, would result in such a diminution of the meat supply as to place the American laborer on a par with his foreign competitor, who boasts of his occasional financial ability to supply his family with meat one meal per week and more frequently one meal per month.

It is also necessary to increase the acreage of the arid lands, for in this way only can we prevent the meat supply from being so greatly diminished as to make the stock industry susceptible to the machinations of the trusts, which without compunction rob the consumer and gloat over their success in victimizing all classes of people regardless of their financial condition. The golden hoof has been eulogized by celebrated writers for centuries in poetry and song, and while this character may obtain in some sections of the country, the golden hoof in the West or arid sections is a destroyer of nature's covering for the lands which, denuded of their verdure year by year, augment the desert waste, which, thus unprotected, becomes heated and dry and is an increasing menace to the States east of and adjacent to the arid belt. In these arid wastes the simoon is born, which, rising, is carried by the winds into more favored regions and becomes a blighting sirocco, withering and destroying all vegetation in its pathway.

It is also necessary to encourage the mining industry by the inauguration of national irrigation. Mines containing only low-grade ore, which can not now be profitably worked because of their remoteness from food supply, would, under a development of the now arid lands, add greatly to the output of the mines, the annual product of which, according to the latest authentic reports, amounts to \$1,000,000,000. This would give employment to thousands of now idle men, and would become a benefit to every other industry in the United States, in that these miners would consume and necessarily have to purchase the products of every other industry.

Mr. Chairman, I have been informed, whether credibly so or not, that Eastern and Southern farmers oppose this measure on the ground that they can not successfully compete with the Western farmer. In this they are mistaken, for the Western farmers are so handicapped by the long haul from West to East that they can not afford to ship anything to the East except cattle, sheep, and the metals from the mines, and so far as sheep and cattle are concerned, the demands for meat and the immense

supply heretofore furnished by the Western ranges being gradually and surely diminished each succeeding year, admonish us that the destruction of the range means a great diminution in the supply of meat from that source, and that if the people of the East desire to eat meat, irrigation must furnish the Eastern deficit in the very near future.

Irrigation, instead of being an injury to the Eastern and Southern farmer, will prove of incalculable benefit to them, in that we are informed by the most recent census statistics that the agriculturists of the country furnish the manufacturers with products equal in value to nine-tenths of the cost of all factory products. Conceding this to be true, any increase in consumers would of necessity create additional demands for manufactured products, which in turn would require an additional number of men to increase the output commensurate with such demands, and the Eastern and Southern farmers would have to supply products equal to nine-tenths of the cost of the additional factory products. Thus it is seen that the farmer and manufacturer are mutually dependent on each other, and that any improvement in the one works an advantage to the other. In other words, the farmer is largely dependent on the factory for the market for the products of the farm, whereas the manufacturer is dependent on the farmer to the extent of all necessary farm products with which to conduct his business and largely dependent on the farm for a market for the products of the factory. In this the Eastern, Central, and Southern farmers will have the advantage of being the greatest beneficiaries, in that they will furnish an amount equal to the cost of nine-tenths of all factory products, a demand for which will be created by the reclamation of the arid region, it being a well-established fact that when the farmer is prosperous it means prosperity for all other industries.

Mr. Chairman, the assertion may be made that irrigation by national aid is an experiment that may prove detrimental to the interests of this Government. For reply to this I am happy to say that reclamation of arid lands has long since passed the experimental stage and exists now, and has existed for nearly four thousand years, as a fixed fact, and that it will prove beneficial requires only the formulation of the plans and construction of reservoirs and canals. The farmer with his laterals will furnish the proof which will demonstrate the great benefit arising from this enterprise. Two thousand and eighty-four years before the singing of the morning stars lulled to repose our infant Redeemer irrigation was being successfully conducted in and on the lands adjacent to the Nile. Lake Mares, a reservoir 50 miles in circumference, was constructed, some historians affirm, by King Marias. Others affirm that it was constructed by Amenunhet the Third two thousand and eighty-four years before the birth of the meek and lowly Nazarene. This gigantic reservoir served a twofold purpose—that is to say, when the Nile was at flood and danger of overflow seemed imminent to the lands below the aqueduct, the surplus waters were run into the reservoir and thus prevented overflow. The waters thus conserved were thus held until the Nile became low and drought threatened the farms. Then the waters were released, the lanes were watered, the soil, responding yielded, up the various products of garden and field in great abundance.

Sesostris, who reigned in Egypt in the year 1491 B. C., is said to have had a great number of canals constructed for trade and irrigation, which canals were so numerous that it is estimated that they would convey nine-tenths of the water of the Nile for domestic use and irrigation, leaving but one-tenth of the stream flowing into the Mediterranean Sea. When General Agathocles, a Syracusan, with his army invaded Egypt he wrote that the African shore was covered with gardens and large plantations and numerous canals by which the lands were watered. Fifty years later Polypus drew a similar picture of this successful farming and gardening by means of systematic irrigation. To protect the great city of Babylon from the overflowing of the Euphrates, a reservoir 42 miles in circumference and 35 feet in depth was constructed, to conserve the flood waters which in the dry season were conducted onto the lands, whereby the devastation by drought of that region was prevented. The Phoenicians were celebrated for their skillful and systematic manner of applying water to the lands for the purposes of irrigation.

Rome, at one time martial mistress of the world, was in Nero's time supplied with water by means of nine separate aqueducts, aggregating 255 miles in length, which delivered, according to estimates, 173,000,000 gallons of water daily. Irrigation was introduced into France by the Romans. The Nismes conduit was constructed nineteen years before Bethlehem was immortalized by the birth of Christ. This conduit delivered to the people for domestic use and to the lands for irrigation 14,000,000 gallons of water daily. China dates its early irrigation enterprises far back into remote antiquity, while numerous tanks, dams, canals, aqueducts, pipes, and pumps in Assyria, Mesopotamia, and Ceylon are evidences of an early civilization, having a more perfect

knowledge of irrigation than they have ever been credited with. In fact, the historian tells us that irrigation methods antedate the most authentic history of this system of utilizing waters for reclaiming arid lands. Respecting irrigation, Cato, two hundred years B. C., wrote very intelligently about the benefits and advantages of applying water for purposes of irrigation of farm lands.

Japan is also noted for its magnificent and extensive irrigation system, and it is estimated that at least two-thirds of the 12,500,000 acres of land under cultivation, by which the population consisting of 41,000,000 of souls is sustained, are rendered fertile and productive. Even the islands of the sea, that is to say, Madagascar, Madeira, Java, and Sicily, and the island of Lombeck utilize the waters for purposes of irrigating the lands, and rely upon this system to sustain the farm and garden. Italy in the valley of the Po has engaged in irrigation since the early ages, and as late as the year A. D. 1895 the bulk of farm products in that country was the result of irrigation. Spain, since Roman and Moorish times, has engaged and is now conducting successfully and promoting irrigating systems whereby about 6,000,000 acres of land are being regularly and successfully cultivated. In India this system is said to be more extensive than in any other part of the world. From Lahore, in the northwest, to Calcutta, in the southeast, a distance of nearly 1,400 miles and covering a territory not less than 100 miles wide, a larger portion of the lands is cultivated by irrigation. The great dam at Bhutan, which supplies the Nira canals, is 4,067 feet long and 130 feet high, by means of which the waters are conserved and through these canals conveyed onto said territory for purposes of irrigation. It is also estimated that in this region 6,000,000 acres of land are annually served with water, the flowage of 300,000 shallow wells; thus it is demonstrated that wells may be resorted to as a possible means of reclaiming arid lands.

Mr. Chairman, we now turn from the Old World to the New and find that the practice of irrigation by the people of the Orient, in ancient as well as modern times, has, in a great measure, obtained and now obtains in the Occident. Mr. Prescott, in his Conquest of Peru, tells us that in Peru waters for irrigation were carried by means of canals and subterranean aqueducts on a noble scale; one of said canals traversed the district of Condeshnos and is estimated to be 500 miles in length. The Argentine Republic, according to most authentic reports, has had and now has 1,759,600 acres of land under irrigation. The Spaniards were greatly surprised when they invaded Mexico to find that irrigation was extensively and very successfully conducted. In Colorado, New Mexico, and Arizona, and extending through Mexico and Central America and on into Peru, are found remains of what was once a most thorough system of utilizing the waters for reclamation of arid lands and are evidence of an early civilization in those sections of country. On both slopes of the Andes, long before occupation of that country by the Spanish and Portuguese, irrigation is shown to have flourished, as is demonstrated by prehistoric works which are found in those sections of country.

In the United States irrigation was introduced by the Mormons under Brigham Young in 1847, and the wisdom and great business ability of this man as a leader are demonstrated by the great State of Utah in all her resources of every character. Under his guidance and direction the sagebrush plain and the rugged mountain side have been transformed into beautiful farms, gardens, orchards, homes, and magnificent cities, and this has been brought about alone through the application of the methods of irrigation. Yet this great inland empire has hardly been touched. From Utah this system radiated to the States of Idaho, Montana, Nevada, California, and the Territories, to which system is due the wealth of said States and Territories, but this has taxed the ordinary flowage susceptible to appropriation by the individual to its utmost extent, and further development and improvement is impossible without a conservation of forest and stream, so as to furnish additional waters for extending to unreclaimed lands the blessings of irrigation.

Mr. Chairman, the next query that may be made by gentlemen of this House is this: Is it possible to compensate the reclamation fund by distributing the cost of constructing reservoirs, canals, conduits, and dams among the purchasers or homesteaders? And for reply to this query, will say I sincerely believe that but few, if any, of the many investments will fail to reimburse the fund, and that, taken as a whole, the proceeds of the sale of lands under all the reservoirs will more than reimburse the reclamation fund; and this fund, when reimbursed, will be enabled to construct additional reservoirs, the cost of which will again be replaced by the sale of lands under these new and additional reservoirs. Thus will the fund revolve until all available waters shall have been exhausted, and the original amount will at the close of this great work remain in the Treasury Department, subject to the disposition and will of some future Congress.

I have made these assertions because I am fully acquainted with the systems of irrigation now in use in my own and adjoining



States. In my State I know of my own knowledge that hundreds of people have secured good homes and profitable farms at a very nominal cost to the individual. In most cases the cost to the rancher for water for his homestead has not cost to exceed \$5 per acre, and this was paid in work by a man, or man and team, at a time when they could not utilize their labor on the farm. It would be difficult to determine the exact cost of irrigation per acre in the United States for the reason that most of these improvements have been made by contributions of labor. In foreign countries wherever the governments have inaugurated this system we have been furnished by the historian with actual cost of construction of the various reservoirs and canals. The principal ones noted by me in a most thorough search are as follows:

The Upper Ganges system in India consists of 890 miles of main canals with 3,700 tributaries, 17 immense dams, and serves 1,205,000 acres of land, the total cost of which is estimated at \$14,644,000, or \$12.15 per acre. The lower Ganges system consists of 531 miles of main canals, 1,854 distributaries, and serves 620,000 acres, the total cost of which was \$7,000,000, or \$11.29 per acre. In the Bombay Presidency, in the year 1889, out of 915,000 acres under the canals, 839,000 acres were irrigated by a system which cost \$10,792,000, or \$12.86 per acre. In the Punjab district the works constructed in the twelfth century, or 700 years ago, are still in use. The West Jumna Canal cost up to 1890, \$8,000,000. This system embraced 84 miles of main canal, 1,110 distributaries, and served 2,000,000 acres, the average cost per acre being \$4.

In France 13 different canals and reservoirs along the river Loire have been constructed, at a cost of 41,460,000 francs, and the lands thereunder increased by reason of said improvements from \$44 to \$300 per acre. In the Indus Valley 1,479 miles of canals, etc., were constructed, at a cost of \$7,872,000, and serves 1,148,000 acres of land. The cost of said improvements per acre was \$6.82. This includes the Labour branch, covering 522,000 acres. In the Maras Presidency, as reported by Richard J. Hinton, there is a population of 31,000,000 souls. This presidency has constructed a system which serves 6,000,000 acres and cost \$32,488,000, or \$5.41 per acre. In Denmark there are 145 miles of canals, which in 1890 carried 22,000 second-feet of water, the principal part of which was used and to be used in the reclamation of the desert of Julland, and while the historian fails to give total cost and acreage, he affirms that the lands by reason of this system advanced in value \$80 per acre.

At the meeting of the Trans-Mississippi Congress, in 1901, Mr. O'Donnell gave a history of irrigation in the Yellowstone Valley, which is substantially as follows:

This valley in 1884 was an alkali desert, supporting only the buffalo and antelope. The area of this valley was estimated at 60,000 acres, all of which was comparatively worthless, which was reclaimed by means of a system which cost \$250,000, or \$4.16 per acre. On this small area are nine school districts and school-houses; it maintains a pay roll of \$275,000 per annum, the aggregate value of the property at this time being estimated at \$6,000,000, all of which has been the result of a disbursement of \$4.16 per acre. A number of estimates have been made by the Geological Survey for reservoirs and dams along Kings River in California, one of which reservoirs, to be formed by a dam at Dusy Meadows—dam estimated at 120 feet in height, to be built of loose rock, with a storage capacity of 16,850 acre-feet—will cost, if constructed, \$538,860, or \$32 for each acre.

At Longs Meadow, on the same river, it is estimated that the cost of constructing irrigation works will be \$28 per acre-foot. At Clarks Valley, on the same river, a reservoir with dam 85 feet high, storage capacity of 120,199 acre-feet, to cost \$1,331,025, or \$11.05 per acre-foot; but should this dam be made 105 feet instead of 85 feet in height, the storage capacity would be increased to 217,196 acre-feet at an estimated cost of \$2,206,822, or \$10.15 per acre. The Pine Flat reservoir, on the same river, to consist of a dam 140 feet high, will have a capacity of 78,197 acre-feet and is estimated to cost \$1,750,000, or \$22.38 per acre. These estimates seem very large, but when contrasted with the uses to which these lands may be put—that is to say, for the purpose of growing citrus fruits and grapes—the value of the land thus improved is much greater than ordinary agricultural land, orange lands frequently selling at from \$200 to \$400 per acre.

The San Carlos reservoir in Arizona, estimated to cost \$1,040,000, will serve 100,000 acres at an average cost per acre-foot of \$10.40. While these estimates as to the improvements along Kings River and also in Arizona exceed \$10 per acre-foot, there are numerous long narrow valleys among the Rockies which can be irrigated at a cost of from \$2 to \$3 per acre, which, in my judgment, would bring the average cost of all the reservoirs down to less than \$10 per acre.

Mr. Chairman, gentleman may ask, Will the people purchase and settle up these lands if reclaimed? To this we answer that twice the amount—nay, more than is susceptible to irrigation—would be eagerly sought after and filed upon immediately upon

its being placed on the market. Mr. J. D. Whelpley states that on the opening of the Kiowa Reservation 167,000 people filed applications, whereas only 13,000 could be accommodated, thus showing that 154,000 people were turned away disappointed and made to follow against their wills a business other than farming. It is also shown by statistics within reach of everyone present that about 50 per cent only of the lands filed upon since 1862 to date have ever been patented—that is to say, of 1,345,000 filings, only 637,000 have ever been carried into patents.

The total number of acres covered by these filings is 180,000,000, whereas 86,000,000 acres only have been patented. This is largely due to the fact that the first settlers appropriated all of the available flowage of the various streams, thus exhausting the spring and summer flow of those streams, resulting in an abandonment of over 700,000 filings, which would now represent, had water been made available by the Government by conserving the waste waters of winter and early spring, about 700,000 farms—beautiful homes, with church spires gleaming everywhere—while villages, towns, and magnificent cities, with all incident industries, would decorate this now barren and almost worthless territory. Now, if 700,000 persons have been disappointed by failure to secure homes in the past, is it possible for us with a constantly and rapidly increasing population to form any idea as to the number of home seekers who in the future will meet like disappointments? But it would be safe to say that the number may be reckoned by millions instead of thousands, and we are confronted with the fact that with this constantly increasing demand for lands there will be a constantly decreasing supply until the whole area is exhausted.

Mr. Chairman, the arid region will not only furnish lands for the home lover and an opportunity for the home builder, but it also furnishes a climate so free from malarial conditions that diseases indigenous to lower altitudes are seldom known. The nights are almost invariably cool in a large part of this section, so that man, wearied by the labors of the day, enjoys a peaceful rest and rises in the morning invigorated for the duties of the day. Here also is a country to be enjoyed by the invalid who desires to escape the unbearable heat of the city or lower altitude, while located in this vast domain are hot springs innumerable, so celebrated for their medicinal properties and curative powers that I am inclined to believe that these were the fountains of youth to discover which Ponce de Leon made an unsuccessful search, of which he knew by tradition only, while we know that those traditions have become historic facts.

Mr. Chairman, in conclusion, my duty compels me to say that if we wish to expand the business of the factory by creating a market for its products; if we wish to relieve the overpopulated condition of the Eastern States; if we wish to conserve our population and prevent a large portion of it from migrating to other countries; if we wish to make valuable 55,000,000 acres of land now valueless; if we wish to construct a safeguard against Eastern drought; if home building is but another name for upbuilding of the nation, as has been asserted, and wisely too, by the President of the United States; if we would reduce the taxes of the arid West by doubling the acreage of cultivated land, we must, to accomplish these results, adopt the methods provided for in this bill as our only hope, that hope which the poet so beautifully described when he said:

Eternal hope,  
When yonder spheres sublime  
Pealed their first notes  
To sound the march of time,  
Thy joyous youth began,  
But not to fade,  
When all your sister planets have decayed;  
When wrapt in flames,  
The realms of ether glow,  
And heaven's last thunder  
Shakes the world below,  
Thou, undismayed,  
Shalt o'er the ruins smile,  
And light the torch  
At nature's funeral pile.

[Loud applause.]

The CHAIRMAN. The question is on the committee amendment as amended.

Mr. RAY of New York. Mr. Chairman, I have another amendment to this amendment that I desire to offer.

The CHAIRMAN. The gentleman will send up his amendment and it will be reported to the committee.

Mr. RAY of New York. Mr. Chairman, I understand that debate on this section is closed.

The CHAIRMAN. Debate is closed.

The Clerk read as follows:

At the end of section 4, page 5, line 25, add the following:

"And no contract for the construction of any irrigation works, reservoir, canals, or ditches shall be made until such proposed contract shall have been reported to and approved by Congress."

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken, and the Chairman announced that the noes appear to have it.

Mr. RAY of New York. I call for a division.

The committee divided, and there were—ayes 24, noes 70.

So the amendment was rejected.

The CHAIRMAN. The question is on the amendment of the committee as amended.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 5. That the entryman upon lands to be irrigated by such works shall, in addition to compliance with the homestead laws, reclaim at least one-half of the total area of his entry for agricultural purposes, and before receiving patent for the lands covered by his entry shall pay to the Government the charges apportioned against such tract, as provided in section 4. No right to the use of water for land in private ownership shall be sold for a tract exceeding 160 acres to any one landowner, and no such right shall permanently attach until all payments therefor are made. The annual installments shall be paid to the receiver of the local land office of the district in which the land is situated, and a failure to make any two payments when due shall render the entry subject to cancellation, with the forfeiture of all rights under this act, as well as of any moneys already paid thereon. All moneys received from the above sources shall be paid into the reclamation fund. Registers and receivers shall be allowed the usual commissions on all moneys paid for lands entered under this act.

The amendments recommended by the committee were read, as follows:

In line 3 strike out the word "irrigable."

In lines 10, 11, and 12 strike out the words "and no such sale shall be made to any landowner unless he be an actual bona fide resident on such land, or occupant thereof residing in the neighborhood of said land."

[Mr. HEMENWAY addressed the committee. See Appendix.]

Mr. SHAFROTH. I move that all debate on this section and all amendments thereto be closed in ten minutes.

The CHAIRMAN. The gentleman from Colorado moves that debate on the pending section and amendments thereto be closed in ten minutes.

Mr. MONDELL. I move to amend that motion and that debate close in five minutes.

Mr. SHAFROTH. I accept that.

The CHAIRMAN. The gentleman from Wyoming moves to amend by providing that debate shall close in five minutes.

The question was taken, and the amendment to the motion was agreed to.

The CHAIRMAN. The question now is on the motion of the gentleman from Colorado as amended.

The question was taken, and the motion was agreed to.

Mr. MONDELL. Mr. Chairman, I now yield four minutes to the gentleman from Illinois [Mr. MANN].

Mr. ROBINSON of Indiana. I make a point of order on that.

Mr. CLARK. Mr. Chairman, how did the gentleman from Wyoming get hold of that ten minutes to yield?

The CHAIRMAN. There are but five minutes, and the Chair does not think the gentleman from Wyoming is entitled to yield. The gentleman from Illinois, Mr. MANN, is recognized. [Laughter.]

Mr. MANN. Mr. Chairman, I do not think I should have taken up the time of the committee at this stage of the proceedings if it had not been for the splendid speech of my friend from Indiana [Mr. HEMENWAY]. I do not agree with him that the proposition in this bill means that the arid lands shall be irrigated at the expense of the pockets of the farmers of Indiana and Illinois. I happen to be one of the farmers of Illinois myself [laughter], and I trust the gentleman from Indiana is one of the farmers of Indiana. [Laughter.]

Under this bill there is no provision that any of the money paid into the Treasury by the farmers of Indiana and Illinois shall be used for the irrigation of the arid lands. It is proposed by the bill, substantially, that money derived from the arid lands themselves shall be used to make them irrigable.

Mr. HEMENWAY. Does not that money belong to the United States Treasury?

Mr. MANN. That is very true. The lands belong to the United States Treasury, but the lands as they are now are valueless. They will pay for themselves. But let me call the attention of the gentleman from Indiana to a proposition which he might have objected to in the House.

We recently gave away all the lands in Oklahoma, lands which belonged to the Government and to the people, lands which were valuable, lands which, if they had been sold for their real value, would have put money into the pockets of the farmers of Indiana and Illinois, or saved money to their pockets; and yet there was no man in this House so small minded as to object to the provision of these people going out into the lands of the West and taking them upon the same terms that the farmers of Indiana and the farmers of Illinois obtained their lands from the Government.

Mr. HEMENWAY. Does the gentleman from Illinois want the farmers of the arid lands to take the same line that the settlers of Indiana and Illinois did when they got theirs?

Mr. MANN. Oh, the gentleman's question answers itself. The proposition before the House shows what is desired, but the farmers of Indiana obtained their land from the Government by the grace of the Government and not in return for the payment of the value of the land. They paid practically nothing for the land.

Most of them received land for a nominal sum or for no sum at all. These lands in Indiana and Illinois belonged to the people of the country who lived to the east at that time. The people of the East, with large-minded ideas, with a splendid conception of the possibilities of the West and of the country, urged their citizens to take the lands in the West, and to-day the people of the East, with still large-minded conceptions of the possibilities of the West, propose to make the arid lands of the West bloom and blossom with the splendid results of industry. [Applause.]

The CHAIRMAN. The question is on agreeing to the committee amendment.

The question was taken, and the committee amendment was agreed to.

The CHAIRMAN. The Clerk will proceed with the reading of the bill.

The Clerk read as follows:

SEC. 6. That the Secretary of the Interior is hereby authorized and directed to use the reclamation fund for the operation and maintenance of all reservoirs and irrigation works constructed under the provisions of this act: *Provided*, That when the payments required by this act are made for the major portion of the lands irrigated from the waters of any of the works herein provided for, then the management and operation of such irrigation works shall pass to the owners of the lands irrigated thereby, to be maintained at their expense under such form of organization and under such rules and regulations as may be acceptable to the Secretary of the Interior: *Provided*, That the title to the reservoirs and the works necessary for their protection and operation shall remain in the Government until otherwise provided by Congress.

The following amendment was recommended by the committee:

On page 5, after the word "to," in line 22, insert "and the management and operation of."

Mr. JONES of Washington. Mr. Chairman, no measure fraught with greater moment to the country has been before this Congress. The stability of a republican form of government depends much upon the prosperity, contentment, and happiness of its people. Distress, discontent, and poverty are the enemies of good government and the breeders of anarchy and disorder. Any measure which tends to promote prosperity and happiness by benefiting any considerable number of citizens without injury to others should certainly meet with most favorable consideration at the hands of the lawmaking body.

The very essence of this bill is home building. This is its aim, purpose, and object. If it will not do this, it should be defeated. If it will do this, then the reason for its defeat must be strong and convincing. The home is the unit of our Government. It is the real source from which springs our strong and intense love for our country and its institutions. Along with the desire for liberty and the right to worship God according to the dictates of their own conscience which impelled the Pilgrim Fathers to dare the dangers of a trackless sea and face the terrors of an unknown land there was also the strong hope of building homes for themselves. From that day to this we have been a home-making people. To own in his own right a plot of ground, however small; to live in his own cottage, however humble, and to sit at his own fireside with his wife and children around him has been the acme of the heart's desire of the true American.

The man who owns a home is a better man, a truer citizen, a more loyal American than he who owns none. Take the renter from the farms of the East, where the products of his labor goes to enrich another; take the laborer from the crowded tenements of the cities, where his family lives in squalor and distress, and place him on a part of our national domain with the hope of its being his own some time; let him have room to breathe the pure mountain air and drink in the unpolluted sunlight of God's blue sky, and the seeds of anarchy and lawlessness will shrink and die, while love for family and country will well up in the heart and grow stronger and stronger from day to day.

The flag of freedom will take on a better and a grander meaning to him. Its waving folds, its starry field of azure hue, and its gleaming bars will be pregnant with hope and meaning, and instead of hating he will love, instead of cursing he will praise, instead of forsaking he will protect and defend with his life. The home is the citadel of our nation, the inner fortress of our defense, the bulwark of our institutions, and the hope of our liberties.

Truly did President Roosevelt sum up the fruits of this bill when he said:

Our people as a whole will profit, for successful home-making is but another name for the upbuilding of the nation.

#### A NONPARTISAN MEASURE.

It is a matter of congratulation that this measure can be considered free from partisanship. It is not a political question and politics has cut no figure in its preparation and report. It is a



bill framed in accordance with the demands of all political parties. The Republican party in its last platform declared:

In further pursuance of the constant policy of the Republican party to provide free homes on the public domain, we recommend adequate national legislation to reclaim the arid lands of the United States, reserving control of the distribution of water for irrigation to the respective States and Territories.

And the Democratic platform said:

We favor an intelligent system of improving the arid lands of the West, storing the waters for purposes of irrigation and the holding of such lands for actual settlers.

While this measure has not been specifically indorsed, it is believed by those who framed it to be in accordance with those platforms. It was drafted by those who are acquainted with irrigation and who are familiar with the conditions existing in the arid-land States. At the beginning of this session of Congress a committee of 17, of which I had the honor to be a member, was appointed from the different States and Territories interested in this matter to prepare a bill. This committee worked long and laboriously, and after much discussion, many compromises, and most careful consideration, this bill was unanimously agreed upon. The committee was made up without regard to politics, and in the discussion and preparation of this measure politics received no consideration whatever. It may not be—doubtless is not—a perfect measure, but we believe that it is as nearly perfect as can be secured. The defects in a proposition like this will appear only when its application is attempted, and whatever defects do appear can be, and doubtless will be, remedied by further legislation.

#### AN ADMINISTRATION MEASURE.

While it is true that this is not a political subject or bill, it is, nevertheless, what may be called an Administration measure. President Roosevelt, in his message to Congress, took strong grounds in favor of national aid for irrigation. He is the first President who has urged the matter in a message to Congress, and this has been one of the great factors in concentrating public sentiment upon this subject. It gave a wonderful impetus to the cause. His position is very pronounced. The subject is not referred to in his message in a merely passing way, but is given much prominence, and he discusses the matter with clearness and force, such as has not been surpassed by anyone. Our ears still ring with the arguments of the able statesmen and leaders of this House that we should stand by the Administration, even though we may not approve the measure it advocates.

While I am not one of those who think that simply because the President recommends a matter it should be passed, because I believe in the existence of the three coordinate branches of the Government and that it is the duty of the President to recommend and the duty of the legislative branch of the Government to investigate and legislate in accordance with what they deem best for the interests of the country, even though it may not be in accord with the recommendations of the President, yet those who speak so often about standing by the Administration in all things certainly should be the last ones to oppose a measure of this character, and therefore we confidently expect that those able statesmen who have grown gray in the service of their country and whose loyalty to the party and to the Administration can not be questioned will cheerfully unite in support of a measure which is so heartily indorsed and urged by the Administration.

#### CONSTITUTIONALITY.

We are met at the threshold of the discussion of this bill with the same objection that has met every great question in the past; with the same obstacle that has been in the way of every upward and onward growth of our nation since its foundation; with the same reason that would dwarf, throttle, and destroy our national life and progress—it is unconstitutional. How often have we heard that cry! What great measure has ever been presented for our country's welfare that has not been met with this objection? The pathway of our national progress to glory and greatness is strewn with the fragments of constitutional objections.

A protective tariff, under which our home industries have been fostered and developed until we are able to supply our own markets and also reach out for the markets of the world; under which the farmer has secured a market for his produce at fair and remunerative prices; under which the manufacturer has been able to sell his products and develop and broaden his industries, and under which the laborer of the country has had his wages maintained at a scale nowhere equaled was unconstitutional. The national banking system of this country was pronounced unconstitutional. The inauguration of the system of internal improvements that has done so much for the building up of commerce and the country was unconstitutional.

The limitation placed on the extension of slavery was unconstitutional. The salvation and preservation of the Union itself was declared to have been done through unconstitutional means. The issuance and redemption of the greenbacks was unconstitutional.

The throttling of polygamy at the very threshold of the national capital was unconstitutional. The growth of the nation in the acquisition of Hawaii, Porto Rico, and the Philippines was unconstitutional. But, notwithstanding all this, the nation still lives, the Constitution still lives, and the zenith of our nation's glory has not yet been reached.

The Constitution, instead of being an instrument to strangle and destroy national growth and development, is the very soul and life of the nation in expanding and broadening as the necessities of civilization and development demand. The extent of our greatness has not yet been measured. With relentless power these constitutional quibbles have been and will be brushed aside, that our nation may grow and develop into the great Republic, the admiration and hope of mankind, the exemplar and the ideal of all liberty-loving people. That this objection to the bill under consideration will meet the same fate we do not doubt, and should the question ever come up for consideration before the Supreme Court, there can be no question but that its decision will add life and not death to the Constitution.

The President well said in his message:

It is as right for the National Government to make the streams and rivers of the arid region useful by engineering works for water storage as to make useful the rivers and harbors of the humid region by engineering works of another kind. The storing of the floods in reservoirs at the headwaters of our rivers is but an enlargement of our present policy of river control under which levees are built on the lower reaches of the same streams.

Is it true that the Government is so tied by this fundamental law that it can not improve its own property, that it can not care for its own? The mere statement of such a proposition would seem to be sufficient for its refutation.

The main purpose of this bill is to reclaim worthless property of the Government and make it valuable. The Government has constructed levees along the Mississippi River. Why? Ostensibly to aid commerce; primarily to protect farms and lands from destruction by overflow. Not public lands, either, but private lands. If the Government can do this, why can it not turn water onto its dry and worthless lands to make them valuable and productive? The Government has granted swamp lands to the States upon the condition that they will reclaim them. If it can do this, can it not provide for the irrigation and watering of its own lands in its own way and by the exercise of its own power?

The Government has granted millions of its public domain directly to railroad companies in order that roads might be built across the continent. Some there be who condemn this policy and yet no one can cross this continent and not realize the immeasurable benefit that has been brought to the nation by the construction of these roads, and no one can see the almost insurmountable difficulties encountered and overcome and not appreciate that aid of this kind was necessary to secure the early construction of these roads. What was the object of these grants? Not for the benefit of the corporation or the individual but for the benefit of the nation, for the growth and development of the people, and for the settlement and development of the public domain of the country.

If the Government can do this, if it can turn this property over to private individuals in order that its public domain may be settled, can it not take the proceeds of the sale of its public domain and use them in reclaiming these public lands? There are those who advocate the granting of a subsidy for the building up of the merchant marine. Some of those who advocate such a measure are opposed to this bill. I am in favor of the building up of the merchant marine, and I am in favor of a subsidy, if that will place the American flag upon the seas, but if we can use money of the Government for such a purpose—and I believe we can—surely the Government can use its money for reclaiming its own lands. If it can improve property of others, it certainly can improve its own. If it can pay others for improving its own property, it certainly can improve this property itself.

What is the Government? Is it not the instrument of the people? The people are not for the Government, as some seem to think, but the Government is for the people, and I believe that under our Constitution any measure that results in great good to a great number of our people and tends to make the people happier, more prosperous, and more contented will find warrant under the Constitution. If we can expend millions in aid of commerce, we certainly can expend a few millions to create commerce.

We are not without authority in support of the constitutionality of this measure. It passed the Senate with scarcely a dissenting vote. It was discussed and considered by that body, which contains some of the best constitutional lawyers of the day, and I am satisfied that if they had had any doubts as to its constitutionality those doubts would have been expressed, and I believe that we can confidently resolve the doubt, if any there be, in favor of this measure upon the authority of SPOONER as against JENKINS, and HOAR as against RAY.

## PROVISIONS OF THE BILL.

Many have an erroneous idea as to the provisions of this bill and the amount of money that will be expended thereunder, and also as to the cost to the Government itself. What is the bill? What are its terms?

The moneys received from the sale and disposal of public lands in Oregon, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, and Wyoming are placed in a fund called the reclamation fund, after deducting the amount necessary for the agricultural colleges and the fees and commissions of registers and receivers.

Out of this fund the National Government proceeds to construct and maintain the irrigation works provided for in the bill, which are simply the reservoirs and main-line canals. I do not attempt to disguise the fact that this is just the same in the first instance as if the money were paid into the United States Treasury and then appropriated direct by Congress. But this is not all. Whenever a Government work of reclamation is commenced or concluded, and a person takes up land to be irrigated from this work, in addition to complying with the requirements of the homestead law he must also pay to the United States Government the estimated cost of reclaiming his land.

In other words, the Government gets its money back. This payment, it may be said, however, goes into the reclamation fund to be reexpended. This is true, but whenever the Government ceases to construct irrigation works and all the land is taken and paid for the fund is entire and can be turned back into the General Treasury, so that in the end the Government will receive all of its expenditures, except, probably, such amount as may be expended for maintenance. In other words, the effect of this bill is simply to provide for a loan upon the part of the Government, without interest, in constructing these irrigation works.

It is also provided that all irrigation works constructed by the Government other than reservoirs shall pass to the owners of the lands irrigated thereby, to be maintained at their expense whenever the major portion of the land irrigated has been paid for. Consequently the only permanent expense to the Government will be from the management and operation of the reservoirs constructed and the works necessary for their protection and operation.

Home building is insured, because no one can acquire this land without living on it for five years. There can be no speculation or monopoly, because, in addition to the five years' residence, no homesteader can take more than 160 acres, and in many cases he can take no more than 40 or 80 acres. There is an absolute guarantee of home building and certain protection against land monopoly.

## WORLD'S IRRIGATION.

Irrigation is not a new thing. It dates far back toward the dawn of history. Indeed, we may not be far wrong in assuming that the Garden of Eden was watered by a system of irrigation under divine control, and it may be that one of the duties placed upon Adam and Eve was to look after the ditches furnishing water for the various flowers and trees and vegetables that grew in that beautiful garden. No doubt the grapes grown in the Land of Canaan were grown under irrigation, and the children of the Land of Nod no doubt cultivated irrigated farms. The many remains of huge tanks, dams, canals, aqueducts, and other implements used in the transmission of water in Egypt, Assyria, Mesopotamia, India, Ceylon, and Italy prove that the ancients knew much of hydraulics and applied that knowledge to the fructification of their fields.

Authentic history affirms that Lake Moeris was constructed two thousand and eighty-four years before Christ for the purpose of regulating the inundations of the Nile, and under the reign of Sesostris, one thousand four hundred and ninety-one years before Christ, in Egypt a great number of canals were cut for trade and irrigation; and it is said that the first canal to connect the Red Sea with the Mediterranean was designed by him and afterwards completed under the Ptolemies. The irrigation canals of Egypt are so numerous that it is estimated that not more than one-tenth of the water which enters Egypt by the Nile finds its way to the sea. The Assyrians seem to have been equally advanced in skill and ingenuity in developing irrigation systems along the otherwise desert valleys of the Euphrates and Tigris.

Indeed, the existence of the great and populous cities which history tells us flourished in Assyria, Egypt, and these other ancient countries can not be accounted for except on the basis that the country was artificially watered. To-day in Egypt the debris of ancient cities and habitations is dug up and used as a fertilizer upon lands devoted to agriculture. What a strange commentary upon the mutations of time. It is thought that the same country in Egypt now inhabited by 5,000,000 people was, during the time of the Pharaohs, inhabited by 20,000,000. Nearly every country of the Old World furnishes evidence of the existence of irrigation

works. Some of them are of prodigious and amazing extent, and the ruins of many towns and cities are silent witnesses, telling most graphically of the importance of these great works.

The Nahrawan Canal in Assyria was over 400 miles long, with a width varying from 250 to 400 feet. It served not only as the great distributor of water to the fields along its banks, but also as a great highway of commerce and was a piece of engineering skill hardly equaled by anything of its kind in these days of great engineering feats. In China irrigation has been practiced for thousands of years, and some of her canals are the most stupendous ever constructed. The great Imperial Canal has a length of over 650 miles. It is used not only for irrigation but also for transportation. We need not go to the Old World, however, for ancient irrigation.

In our own country and in South America the remains of ancient irrigation works are to be found. Even in portions of the arid country, which we to-day ask the Government to assist in reclaiming, are found the remains and banks of ancient ditches constructed by people of whom we know but little, and proving to us that this barren country was once inhabited by a prosperous and progressive people. The ruins of ancient towns and irrigating canals through Mexico and South America evidence an early civilization, perchance surpassing that of the present day. When the Spaniards invaded Peru they were astonished at the wonderful and stupendous irrigation works constructed in that country, one of these being between four and five hundred miles in length.

It is difficult to determine the area under irrigation, but according to the statements of Wilson the following estimate is given:

The total area irrigated in India is about 25,000,000 acres; in Egypt, about 6,000,000, and in Italy, about 3,700,000 acres. In Spain there are 500,000 acres; in France, 400,000 acres, and in the United States, 4,000,000 acres of irrigated land. This means that crops are grown on 40,000,000 acres which but for irrigation would be relatively barren or not profitably productive. In addition to these, there are some millions more of acres cultivated by aid of irrigation in China, Japan, Australia, Algeria, South America, and elsewhere.

The estimate for the United States should be placed at about 7,500,000 acres at the present time. In Japan about 8,000,000 acres are irrigated; in Australia, several hundred thousand acres; in South America, three or four million acres. So that we may roughly estimate about 75,000,000 acres in the world to-day under irrigation; in other words, about the amount which, it is thought, can be brought under cultivation by national irrigation in this country.

## POSSIBLE AMOUNT TO BE RECLAIMED AND COST.

How much land will be reclaimed under this bill? To this question no definite or certain answer can be made. Estimates vary from 35,000,000 to 100,000,000 acres. In my judgment, 50,000,000 acres is a reasonable estimate of the lands that can be directly reclaimed through irrigation enterprises; there may be more, there may be less. If this amount should be reclaimed it would mean much to the nation. This would be equal to a body of land of over 78,000 square miles in extent, or nearly twice the area of Pennsylvania, and much larger than the State of Illinois.

About one-third of our national domain is a desert, producing naught but sage brush, grease wood, and cacti, fit only for grazing purposes, and much of it unfit for that. The greater portion of this vast territory never will be habitable, but the lands upon which water can be placed may be made as productive as the Garden of Eden itself. What can be done by irrigation is no longer a matter of speculation in this country. Private capital and private industry already have demonstrated its beneficent results. Already 7,500,000 acres have been reclaimed and made to blossom as the rose. Valleys and plains which never knew life save that of the jack rabbit, the coyote, chipmunk, lizard, and horned toads are now habitations of thousands of happy and prosperous people, and cities and towns have sprung up as if by magic.

The success of further development by private capital is most doubtful. In fact, many of these enterprises in the past have been far from remunerative to the original promoters, although of incalculable benefit to the settlers, the State, and the nation. In my own county several irrigation enterprises were put through, but the original promoters were thrown into bankruptcy and the ditches into the hands of receivers. This, I am informed, has been the result in many other portions of the country. To supplement the work of private capital is the object and purpose of this bill.

The State and Territories named have an area of 1,522,145 square miles, or 974,172,800 acres, or one-third of the area of the United States, exclusive of Alaska. Of this amount a little over one-half, or 535,486,781 acres, is public land and subject to settlement and entry under the land laws of the United States. Much of this land is rough and mountainous and unfit for anything but grazing, and the remaining portion is absolutely valueless without irrigation. The first settlers, naturally, located in the valleys and along the streams. Private enterprise constructed the ditches which could be constructed at the least cost and which



would cover the most land and bring the best returns. The population of these States and Territories is 7,745,291, and of this Kansas and Nebraska have about one-third, or 2,536,795.

With 50,000,000 acres irrigated and with the influence that this will exert upon the remaining portion, we may expect a wonderful increase in the population of this Territory. This land will be farmed most intensely, and probably will be equal in productive power and supportive ability to three or four times the same amount of land in the East. It also must be remembered in this connection that this Western country is surpassingly rich in everything that goes to make a populous territory, except in agricultural lands. It has unlimited mining resources; the greatest forests in the United States are found here, and along the coast the commercial facilities are unrivaled.

If the mining, manufacturing, and commercial industries are supplemented by agriculture the center of population of this country will continue to move westward, and it is not extravagant to estimate a population in this Western country within the next fifty years of twenty-five or thirty millions of people; in fact, I believe this to be a very conservative estimate. In my judgment also the irrigation of this amount of land, which is about one acre out of every ten of the arid and public lands, would not be limited in effect to lands actually irrigated, but there would be a marked effect upon the remaining portion. It would seem almost inevitable that there would be more moisture in the air, and, consequently, more precipitation.

The result of this would be the improvement of the grasses, the improvement of vegetation upon the remaining lands, and grazing would be much more extensive and profitable than at the present time. The hot winds of Kansas and Nebraska and other Middle States doubtless are largely the product of these vast, dry, hot, arid plains. If large areas are irrigated, instead of taking moisture from the air they will give out moisture, and these hot, death-laden winds will be softened and laden with health and life for man, beast, and crops. Furthermore, the irrigation of these lands does not mean simply a farm house on every 40 or 160 acres of land, but along with the farms and the mines and the manufacturing will come villages, towns, and cities. Railroads and telegraph and telephone lines will be brought into operation. School-houses will be constructed, church steeples will pierce the sky, and civilization will flourish and develop where before was the solitude of the dead.

What will be the cost of this work to the Government? This is a very pertinent question, and one that can not be very definitely answered. We may get some idea, however, if we consider the cost of works already constructed in other countries, because the amount of difficulties to be encountered, the obstacles to be overcome, and the character of the work is substantially the same in all countries.

In Richard J. Hinton's report to the Senate the following facts are given as of the year 1890. In the Madras Presidency, in India, the irrigation works up to 1890 involved an investment amounting to \$32,480,000, and the acreage watered was estimated at 6,000,000, or an average cost of a little over \$5 per acre. This, as I understand it, included not only the main canals but also numerous laterals. The Upper Ganges system has 890 miles of main canals with 3,070 distributaries and 17 great dams, and cost \$14,644,000. The number of acres served was 1,205,000, making the average cost per acre a fraction over \$11.

In the Bombay Presidency the cost of the public canal is placed at \$10,792,000 and the number of acres to be irrigated was 915,000, or an average cost of a fraction over \$11 per acre. In Punjab and Sind provinces the total expenditure for irrigation purposes is represented by \$36,400,000, covering about 6,000,000 acres, or an average cost of \$6 per acre. About one-half of this land, however, is irrigated each year. In the Indus Valley about 1,148,000 acres are irrigated, and the cost of the works up to 1890 had reached \$7,872,000, or about \$7 per acre.

These figures will indicate that the cost of the works proposed under the present bill will not be so large as estimated by some. It is proposed under this bill that the Government shall construct only the reservoirs and the main works, or main canals. Experience has shown that this is the least cost in reclaiming lands. I believe that many have an erroneous idea as to the extent of the Government work proposed. It is not proposed that the Government shall actually reclaim the lands; it simply constructs the reservoirs, or main line canals, so as to make the water available; the settler must do the remainder. He must build the ditches that lead the water from the reservoirs to and onto his land; he must build the ditches that lead the water from the main line canals to and onto his land; he must clear the land; he must level it and then construct the irrigating ditches to distribute the water over the land. The expense of this is very great.

As illustrating it, and as illustrating the difference in value of the land before the settler does anything to improve it and afterwards, I will give the cost of land under a large irrigation canal

in my own county. Lands that are under the ditch, as we say—that is, lands that can be irrigated from the ditch—in their raw state and without any water right are worth from \$5 to \$10 an acre. The water right sells for \$25 an acre, and this means that the water is brought within at least a half mile of the land to be irrigated, and this requires the construction of many lateral ditches from the main canal by the company itself, which is not contemplated by this bill on the part of the Government. This makes the land with the water right cost, or worth, from \$30 to \$35 an acre.

After the land is leveled and the lateral ditches constructed, distributing water over the land, and it is seeded to grass, it is worth from \$75 to \$100 an acre, and the increase in value represents very largely the actual expenditure of the farmer in putting his land to crop. From this it will be seen that the very least of the work in reclaiming is done when the Government constructs the reservoirs and main canals. The greater part must be done by the settlers themselves, and if it costs the Government \$300,000,000 or \$350,000,000 in the construction of its works, it means that in the reclamation of the lands the settlers will expend at least an equal amount and probably much more.

It must not be overlooked, however, that the amount to be advanced by the Government is limited to the proceeds of the public lands. It may be one, two, or three millions a year. A pitiful sum when we realize that we are to-day spending twenty-five or thirty millions a year for river and harbor improvements without hope or expectation of repayment, while in this case there is an express provision for the reimbursement of the Government.

#### PRIVATE ENTERPRISE CAN NOT TAKE UP THESE PROJECTS.

There are but few irrigation projects now within the possibility of private capital. Private activity does not take up any enterprise which does not offer with reasonable certainty a fair profit on the capital invested. As I already have said, the experience of irrigation companies heretofore has not been encouraging, the original promoters having made nothing, but, on the contrary, they have lost largely upon their investments. This makes capital doubly cautious. The very nature of these enterprises makes them uninviting. There must be a very great outlay before any income whatever is received. The work must be continually looked after at considerable expense whether the water is used or not.

It takes considerable time to prepare the land to be used for irrigation, and the men who take up lands are usually poor and with little capital. They develop their lands slowly, and if the water rights are purchased, the purchase must be made on long time at low rates of interest. If the water is rented and not purchased, it is rented only for the land actually cultivated, and as a result full returns do not come in for several years, and the recurrence of hard times in nine cases out of ten will bring loss and bankruptcy to the enterprise. Another difficulty is that most of the lands under such an enterprise are public lands, and these lands constitute no source of income until they are settled upon. The Government does nothing to improve the lands, buys no water rights, rents no water, and, therefore, a great portion of these lands would bring in no income whatever.

The only way that private capital could irrigate these lands would be for the Government to turn them all over to some great company. This, of course, would not be thought of for one minute. But, it is said, why not turn the lands over to the States. This is not practicable, because the States would be limited in their operations within their own boundaries. They have no revenues to be used in engaging in these enterprises, and in many of them the lands to be reclaimed would be very limited in area. Practically the same objections apply to the States taking charge of these lands as applies to the investment of private capital now. The only practical way is for the Government, as a great landowner, to do this work.

The Government does not desire a profit on its investments. The Government has never gone into a money-making scheme, and never will. Hard times would not interfere with the progress of the work. The moneys and revenues of the Government are sure. If it begins an enterprise, its continuance does not depend upon the condition of the money market or upon the prosperity of the country, nor is the matter of profit any concern. In reality, the great benefit to the Government comes from the building of the homes themselves and not from the money it receives directly. Even if the Government did not receive any direct return from the land, if a large number of prosperous homes are established the resulting benefit to the community, the county, the State, and the Government well repays for the outlay.

One of the great canals in Spain cost \$4,000,000, while the produce earned by the administration of the canal amounted to only \$7,400, and yet it is stated that—

The business, however, far from being ruinous for the State, has largely compensated the outlay by creating great sources of wealth which deliver up to the public treasury a good part of their income.

Make valuable that which is valueless and you enrich the nation. Increase the homes of the country and you make stronger the pillars of government. Increase the taxable property of the country and you lighten the burdens of taxation to the people and make more certain the income for schools, city, county, State, and national purposes.

#### OBJECTIONS TO THE BILL.

Some oppose this bill and allege that it will injure the farmer of the East and Middle West. In their zeal and intense desire for his welfare they become eloquent in portraying the sterling honesty and stalwart independence of the farmer and they agonize over his toils and woes. No one admires the farmer more than we who urge this bill; no one sympathizes more than we; none realize more that he is one of the great mainstays of our national existence than do the advocates of this bill. We believe that he and his industry constitute the basic element of our national perpetuity and prosperity. We have worked on farms and know the toils and beauties of the farmer's life, although we may not have been such great farmers as our friends from Pennsylvania [Mr. SIBLEY], Indiana [Mr. HEMENWAY], Ohio [Mr. GROSVENOR], and New York [Mr. PAYNE].

We have not yet forgotten the days spent from early morning until late twilight behind the plow and handling the dusty hay in the hot and stuffy mow. The most vivid memories that we now have of the farmer's life are the sound of the voice that drove away sweet sleep at 4 o'clock in the morning and the groaning of the cows as they grumblingly left their warm beds on frosty mornings that we might warm our bare feet. Yes, we know something of the farmer's life, and we would do nothing to make the burden heavier; but, on the contrary, we would do all we can to make it lighter.

This bill is not for the benefit of farmers like those in this House, who own their broad acres, but who do not put the hand to the plow, swing the ax, or handle the hoe. The gentleman from Pennsylvania [Mr. SIBLEY] is a great farmer and does not need this bill, and I am frank to say that it is not primarily for his benefit.

The great object of this bill is to furnish homes for the homeless and farms for the farmless. The renters of Indiana, Ohio, and Illinois, and laborers crowded in the tenements of the large cities are the ones for whom this bill holds out relief. I know that in Illinois the farm lands have reached exorbitant prices, and, in order that the owner may receive a tolerable percentage on a high valuation, the poor renter toils and sweats from early morning until fading twilight. He works sixteen hours a day, eight or more of which go to enrich and support his landlord. He barely makes a living for himself and family.

There are thousands of laborers in our Eastern cities whose toil brings in only enough to maintain a miserable existence for themselves and their families. Day after day the fruits of their labor go largely to enrich another. For these laborers and these renters there is but little hope for the future. There is but little hope of gratifying the great desire of every American heart—that is, the desire to have a home. To this class of people this bill offers hope. It comes as a harbinger of better days and of a better life. It offers to them a portion of God's footstool as their own and gives them the hope of an existence in which they can breathe the pure air and absorb the pure sunlight of heaven and expand and grow and develop into better men and into better citizens.

We should not look at this bill from the sole standpoint of dollars and cents, of appropriations and expenditures. It has a grander purpose and I believe there will be a grander result. The great result from this bill will be the happy homes that will be built in our own country and more loyal citizens to our flag and the principles it represents. To take the fruits of one's toil and give to another, to work from day to day and eke out a mere miserable existence for oneself and family, to live without hope of bettering one's condition, is not conducive to noble manhood or loyal citizenship.

A few years of such a life stifles and smothers the desire for something better, for something nobler, and instead of happy, loyal, and contented citizens there are discouraged, discontented, and disloyal citizens. Why? Those who live this way are without hope of anything better. For them there is no happiness; the Government means nothing to them except the agent of oppression; the flag means nothing except the emblem of tyranny. Such a condition breeds anarchy and anarchists, disorder, and revolution. The foundations of our State rest upon the home builders and the home owners, and the more of these we have the firmer the foundation, and any bill that will make more homes and more home owners will do much to solve the social problems of discontent that agitate all countries, and that are the natural product of poverty and a congested population. Its beneficent results can not be measured in dollars and cents. Manhood, patriotism, love for family, and love for country flow from such a measure, and are infinitely more to be desired than the few dollars we propose to spend.

Objection is made to the bill because it is not demanded by the needs of the present age. Never before have there been so many of our people looking for homes, and where else could they look but to the westward and to the north? As the western sun was the guide to those early pioneers who crossed the plains and scaled the mountains to find homes along the peaceful shores of the Pacific, so to-day are the homeless looking westward and northward with hope and anticipation. Last year over 12,000,000 acres of the public domain were taken by the home seeker and home builder. This was not choice land, but it probably was the pick of that which was left. Log huts have been built with their mud chimneys.

The little garden patch has been cleared and cultivated; a few cattle have been turned out upon the hills to graze, and, though the prospects may be dark, or would seem so to you and me, yet in many homes on this 12,000,000 acres of land the star of hope twinkles brightly and the spirit of liberty reigns exultant with home and independence in fruition. These settlers are better men, more loving husbands and fathers, and more loyal citizens than they were in the East or Middle West.

Thousands are going from Iowa and other States of this nation to the north, to take up lands and build up homes beneath a foreign flag.

Sir Wilfrid Laurier, of Canada, said a few days ago:

I hope to have an opportunity while in England to devise some plans for the greater encouragement of emigration to Canada. Emigration from the United States, I am glad to note, is increasing every year. Fully 50,000 have gone from this country across the border during the last three years, and we will be glad to have all the fifty thousands more she can send.

This is not because they love our country less, but because there are more and better opportunities of securing homes and happiness in Canada. Let us keep them with us; let us satisfy their hopes and furnish them homes in our own land and beneath our own flag.

Not needed by the present age? The rush to Oklahoma and the crowds around the borders of every Indian reservation just before they are opened to settlement is answer sufficient and, it seems to me, shows conclusively that there is to-day a great demand for lands and that a measure of this kind can not be passed too soon in order that the congested populations of the East may find an outlet. Five hundred thousand immigrants are landing on our Eastern shore every year. They must be cared for. If they stay in the cities they simply add to the growing discontent. This is a condition that must be met, and I know of no better way than to furnish homes.

Objection is made to this bill because its benefits will be enjoyed by the few. We are almost daily appropriating thousands, yes millions, which directly benefit the few. Your millions for rivers and harbors primarily benefit a comparatively few of the people of this country, and yet we do not object to the expenditure on this account. We of the West have been cheerfully and uncomplainingly voting year in and year out in favor of the expenditure of millions of dollars of no direct benefit whatever to us.

Year in and year out we have been bearing our share of the taxes looking toward the building up of different sections of our country. We are broad minded enough to believe that any measure that is of benefit to any considerable number of our people, or that is of any considerable benefit to any section of the country, is a benefit to the whole, and many times the indirect benefit far outweighs the direct benefit. Such will be the effect of this bill and the policy thereunder. Again objection is made, and it is alleged that the farmers of the East will meet with increased competition, and an attempt is made to arouse their opposition on this account.

The gentleman from Indiana [Mr. HEMENWAY] says it will be a great injury to the farmers of Indiana, because it will bring increased competition with their products. The gentleman from Ohio [Mr. GROSVENOR] claims that it will be an injury to the farmers of Ohio, and he read from a circular issued by the farmers of the country, protesting against the passage of this bill, because they thought they would be taxed for the benefit of the farmers who would increase competition with their products. The same cry comes from Illinois and Iowa.

This is not true. This bill is a bill for the benefit of the East and of the Middle West. Your sons and your daughters are the ones that will make homes in this far-off country. Do you care nothing for them or their future happiness and prosperity? If they are benefited and their condition improved, will that not be a benefit to you and to your part of the country? But what is there in this cry of competition? Nothing. As a matter of fact, the people of the East will be relieved from the competition of the Middle West and the people of the Middle West will have increased markets for their products. Why do I say this? Because the products that will be raised on the lands to be reclaimed under this bill are not the products that are raised in Iowa, Kansas, or Ohio, or Indiana.

We do not raise corn and wheat on irrigated lands. They are



farmed too intensely for such crops to be profitable. What do we raise in this section? In the northern section we raise alfalfa, hops, fruits, and vegetables, while in the southern section we have oranges, lemons, olives, grapes, etc. Every additional family placed in this section of the country furnishes an addition to the markets for the products of Iowa and of Kansas. We ship our corn from those States.

If you place one, five, six, or ten million more people to the westward of these States they will have a market for their corn that they can get in no other way and relieve the farmers of Ohio and Indiana from that much competition, because the farmers of Illinois, Iowa, Kansas, and Missouri are the competitors of the farmers of Ohio and other Eastern States, and if you furnish them a new market to the westward the market to the eastward is relieved to that extent, so that if this bill results in the settlement and development of the Western country, instead of furnishing competition for the farmers of the Middle West it will furnish them a market, and instead of furnishing competitors for the Eastern farmers it will result in the extension of their markets.

It seems to me that a little thought, a little reasoning, and a little judgment exercised in considering this bill will show the utter fallacy of the fears expressed on behalf of the people of the East and the Middle West. Why is it that the Secretary of Agriculture, who hails from Iowa, and the Secretary of the Treasury, who also hails from Iowa, are heartily in favor of this bill? It is because that, with broad-sighted vision they behold the great benefits that will accrue to their section of the country by reason of the development of the country farther west and the location there of a great population. They see nothing in this bill except good for the farmer of the East and the Middle West.

What other benefits would accrue? The possibilities of irrigation in the way of increasing the population is something amazing. Irrigated lands must necessarily be cultivated in small tracts and in a very careful manner. This means many homes and a dense population. In Egypt there is a population of 543 to the square mile, and yet it is estimated that the same territory in ancient times sustained and had a population of 20,000,000 of people, or nearly four times that of to-day, and to-day the land of that country is fertilized by the debris and remains of ancient cities, and the farmer, turning the soil with his plow, frequently discloses evidences of that ancient civilization which was the greatest of its day.

If we reclaim 50,000,000 acres under this bill, it would be equivalent to about 78,000 square miles of compact territory. Should this be settled as thickly as Egypt there would be a population of 42,854,000. We do not anticipate such an increase, however, as this as the result of irrigation, although it will not be at all surprising to see such a population in the States covered by this bill within the next fifty years, because it must be remembered that in addition to the wonderful resources created by the reclaiming of these worthless lands there also would be the development of almost inexhaustible resources of timber, mines, and commerce.

That vast territory has wonderful resources for the development of commerce, manufacturing, and mining. All it needs is a corresponding development in agriculture, and let me say here that the population that is certain to find its home in this country will be almost, if not entirely, sufficient to consume all of the products raised in that territory in addition to taking the products of the States of the Middle West. With 40,000,000 people westward of Iowa, Kansas, and Nebraska—yes, with 20,000,000 of people—Americans, living as Americans live, what a wonderful market there would be for the other portions of the country. Its magnitude can hardly be measured. It can not be measured except by estimating the market furnished by 20,000,000 people in the East. What an impetus would be given to the manufacturing industries of the Eastern States.

Every manufacturer and every laborer of the East especially should be heartily in favor of this bill, because almost every home built up in that country will furnish an additional market for the products owned or manufactured and means an extension of and an increased demand for labor.

I live at North Yakima, a city of 5,000 people. It is one of the most beautiful cities in the Northwest and is the center of an irrigated district. Twenty years ago the valley in which it is located was an absolute desert, covered with sagebrush. To-day it is a garden spot of beautiful homes, and contented and prosperous people have taken the place of the desert.

Are we of any benefit to the East? Go into our stores. They are filled with your products. There is your clothing of all kinds, your furniture of all kinds, your hardware of all kinds, your machinery of all kinds, your musical instruments of every kind and character, your groceries of nearly every kind, and many other products of your factories and mills. Your labor was employed in their production. Our money went to you in their purchase, and so it will be with all of the towns and cities that may grow up in this Western country.

You seek the markets of the world and are devising every way and every means to secure them. We complain because we do not have the ships of our own in order to transport our products to foreign lands and to bring the products of foreign lands to this country. The gentleman from Ohio is perfectly willing to pay out of the public Treasury several millions of dollars a year to a few of our citizens in order to develop an American merchant marine, in order that the American flag may fly at the masthead of the fleets of the world, so that our own ships may carry our own products to every port and to every clime.

I am most heartily in favor of such a policy. I believe in it; I believe that the benefits to come from it far exceed the payment of the few million dollars even to a few individuals, and I am perfectly willing to join hands with my friend from Ohio in promoting this policy, because I believe that the benefits from it will redound to the wealth, to the honor, and to the glory of our common country.

But while we are so anxious about this, it seems to me that there is more reason in the expenditure of a few millions of dollars a year for the building up and development of a far greater and a more permanent market at home, for the inauguration of and the carrying on of the policy that will cause the erection of thousands of houses and cottages around whose firesides will cluster people in whose hearts the love of our institutions and our flag will grow brighter and stronger day by day, and whose wealth, whose strength, and whose lives are ready to be offered up in support of the principles of liberty and justice and in defense of the honor of our flag and our country.

I venture to say that there is no measure that this Congress can pass or has passed that will result in such universal benefit as will come from this measure. It will benefit every section of the country. It will benefit every occupation and every industry in the land. One million American farmers in our own land will furnish a better market for our own products than a million of foreigners, and many millions of American farmers will furnish a market far exceeding even the stupendous market that we now have. But you are so afraid of our competition, why not stop foreign competition? We are importing millions of products that we should and can produce ourselves.

During the last five years the imports of agricultural products to this country have averaged over 50 per cent of the total amount of imports. In 1901 we imported \$391,931,051 of foreign agricultural products. Why should we not produce these products in our own land? Are they such as we can not produce? Let us see. We import over \$90,000,000 worth of sugar. We can and we ought to produce all this sugar in our own country; and in this connection the gentleman from Ohio protests against the passage of this bill because it will injure the beet-sugar industry of the Middle States, and he says it will reduce the price of sugar 1 cent on the pound.

Suppose it does this, how many million of people in the East would this benefit? How many millions of the consumers of sugar would be glad to have a reduction of 1 cent a pound on sugar? But would it injure even the beet-sugar industry? No; because it would simply take the place of the cane sugar that we import into this country. It probably would paralyze the sugar trust, but it would not injure the producers of beets, and would be welcomed as an extension of the beet-sugar industry in this country.

We imported hides and skins to the value of over \$48,000,000. Pass this bill, and in a few years on the mountain sides and plains of the western part of this country we will raise all the cattle and sheep necessary to supply not only our own markets with meat, and thereby destroy the beef trust, but also the hides and skins necessary for home consumption. We will supply the market which is now supplied by foreigners to the extent of over \$12,000,000 in wool, \$16,000,000 in tobacco, over \$3,000,000 in lemons, over \$4,000,000 in seeds, and over \$3,000,000 in vegetables.

But they say this bill taxes the farmers of the East and the Middle West for the benefit of the few, and they appeal to the Representatives on this floor and ask them, "Do you want to vote upon your constituency a tax for the benefit of others?" I deny that this bill means an additional taxation upon the farmers of this country; the very terms of the bill itself meet this objection. The expenditures under this bill are not made out of the Treasury of the United States. The fund is made up only of the proceeds of the sales of public lands in the arid States.

These moneys will be paid in by those who go to that country and take up the land, and any man who takes up land under one of these irrigation enterprises must pay for the land an amount equivalent to a proportionate part of the cost of the work. Oh, but you say, this is simply another way of taking the money out of the Treasury because, as this money does not go into the General Treasury, its place will have to be filled by means of another appropriation. This is true so far as the ordinary receipts derived from the sale of public lands is concerned for the time

being, but this reclamation fund is growing all the time, and when the last irrigation work is complete and all the lands taken up and paid for, the fund will be ready to be turned back into the General Treasury. In other words, the Government makes a loan of the ordinary receipts from the sale of public lands and receives it back without interest.

You can not make the farmers of the East and Middle West believe that under such a system they are taxed very heavily for the benefit of others. Oh, but you say, after you get this work started you will go to Congress and ask that the settlers be relieved from making their payments, and have it done by direct appropriation from the Treasury. That is a proposition that will be met when it comes up. If Congress should decide that it was for the best to do this, it probably would be done, but it will rest with the representatives of the people, and I want to say, and I believe I speak for every member from the arid States urging the passage of this bill, that we do not have any intention of asking Congress to be relieved in this way. We believe in the terms of this bill, and we believe that they can and will be carried out to the letter.

But even if this contention were true, it would be no greater objection to the bill than it would be to many others that this Congress passes. As has been said, we appropriate millions of dollars every year for the improvement of the harbors of the country, and yet we never think of taxing these amounts up to the communities and the harbors and the industries that are benefited by these direct appropriations. The farmers of the country are never appealed to to defeat these bills because it means taxation for the benefit of some one else.

If a plea of this character were to be given force and effect scarcely any bill carrying an appropriation would pass Congress, and our industries, our business, and our improvements would be paralyzed, and instead of this being one of the most progressive and greatest nations of the earth it would be the weakest. Absolutely no objection has been urged to this bill upon its merits that has any foundation whatever in fact or in reason, and the intelligence of the people of this country will approve in unmistakable terms the enactment of this bill.

No valid objection can be urged against this bill. In the end it will cost the Government comparatively little. No additional burden by way of taxation or otherwise will be placed upon the people of any section of the country. It will bring no additional competition to the farmers of the East or the middle West. On the contrary, it will relieve some sections of the country from the competition of other sections and will tend to displace foreign agricultural products in our own markets.

The Almighty in His infinite wisdom made this great continent for the habitation of a mighty people. The eastern and middle portion has a fertile soil, a humid climate, and has been well adapted for the development of all those industries that are necessary to the well being of a great and prosperous nation. Along the western shores there is an abundance of rainfall, wonderful commercial facilities, and inexhaustible supplies of minerals and timber. Between these two sections lies a vast territory of lofty mountains, barren plains, and desert valleys. Upon barren wastes the sun of centuries has been beaming from cloudless skies, storing in wonderful abundance fertility and energy, while the rain and the snow of the mountains has ever rushed to the sea in mountain torrents unheeding the thirst of the parched earth.

The soil is fertile beyond comparison, the waters abundant, but unapplied. It would appear that the work of bringing soil and water together has been left as one of the great problems to be solved by this great people. The time has come for action, and man must take up the work and bring the elements of earth and air together.

As in many of the tales of the Arabian Nights the touch of the magic wand alone is needed to bring release to the beautiful princesses and great nobles from the vilest shapes and conditions, so all that is needed here is the magic touch of air and earth to bring forth the richest products of the soil and cause the founding of cities, towns, and villages. Only in fairy tale and story is there fitting simile to the wonderful transformation that will occur in arid America.

Pass this bill and you make "the waste places glad" and "the desert to blossom as the rose." The wealth of the nation will be increased by making valuable that which is to-day valueless. Hope will dethrone despair and cheerful confidence displace discouragement in thousands of hearts among the toilers of the land. The solitude of the desert will give way to the sweet music and hum of industry, and the great American Sahara will be succeeded by fertile fields.

Pass this bill and its beneficent influences will lighten the burdens and gladden the hearts of our people of every class and condition, largely solve the social problems of discontent that agitate our cities, strengthen the fibers of the nation, kindle anew the fires of patriotism almost smothered by poverty and distress, and

give new impetus to that onward march of civilization that has been the wonder of the nineteenth century, and that will be the glory of the twentieth. [Loud applause.]

Mr. SHAFROTH. I move that all debate on the section and all amendments thereto be closed in five minutes.

The motion was agreed to.

Mr. ROBINSON of Indiana. Mr. Chairman, in the Fifty-second Congress the solicitude of that body on the subject of irrigation caused the appointment of a special committee on that subject, composed of Mr. LANHAM, of Texas; Mr. Clancy, of New York; Mr. Bretz, of Indiana; Mr. Gorman, of Michigan; Mr. Coolidge, of Massachusetts; Mr. Dixon, of Montana; Mr. Simpson, of Kansas; Mr. Pickler, of South Dakota; Mr. Randall, of Massachusetts; Mr. Curtis, of New York; Mr. Sweet, of Idaho, and Mr. Caine, of Utah, who reported in favor of a measure which will be found on page 7158 of the RECORD (proceedings of yesterday), and which I think will be found is a basis for a rational system of irrigation. I desire this House to have an opportunity to vote upon that proposition, and for the information of the House, I ask the Clerk to read amendments which I propose to offer, so as to make it conform in phraseology to suit the changed conditions—Utah, then a Territory, having been admitted as a State.

The Clerk read as follows:

Strike out all after the enacting clause and insert:

"Be it enacted, etc., That, subject to all rights, inchoate or perfected, thereto all the lands of whatever nature or description and rights thereto, including water rights, now belonging or appertaining to the United States, lying and being situated in the States of Nebraska, Nevada, South Dakota, North Dakota, Montana, Washington, Oregon, Wyoming, Idaho, Colorado, Utah, Kansas, and California, and in the Territories of New Mexico, Arizona, and Oklahoma, severally, with full and complete jurisdiction thereover, be, and are hereby, granted, ceded, and confirmed to said several States and Territories, the grant to each of said States and Territories to be of the lands contained within its present boundaries and Territorial limits.

"And the President of the United States shall issue letters patent for the same to the said several States and Territories in this section designated whenever and as any of said States and Territories shall by an act of its legislature accept the disposition of the lands as herein provided, within the time hereinafter specified. This act shall in no manner affect any of the lands held by the United States for parks, naval, military, or other public purposes, nor any Indian lands, nor lands held in trust for or for use by Indians, nor mineral lands, nor shall it apply in any manner to the Territory of Alaska.

"SEC. 2. That the governors of the Territories of Arizona, Oklahoma, and New Mexico shall, within a reasonable time after the passage of this act, call special sessions, if need be, of their several legislatures to take into consideration and pass upon the provisions of this act and the questions herein submitted to them, and may from time to time call such other sessions of their respective legislatures as may be rendered necessary; and the benefits of this act shall not accrue to any State or Territory which shall not have accepted the provisions thereof within four years from its approval.

"SEC. 3. That as soon as practicable after the issuance of letters patent to any State or Territory herein mentioned, for the lands therein situate, and from time to time thereafter as occasion may require, it shall be the duty of the Secretary of the Interior, at the expense of the United States, to cause to be delivered to the proper authorities of such State or Territory all maps, records, books, and papers, or certified copies thereof in case it may be necessary to retain the originals in the General Land Office, which may be necessary to such State or Territory for the proper control, administration, and disposition of such lands.

"SEC. 4. That no State or Territory accepting the cession of lands as herein provided shall in any case sell, lease, or dispose of said lands in greater quantity than 160 acres to any one person, corporation, or association, nor shall any such State or Territory in any manner impair or abridge the homestead privileges now granted to soldiers and sailors under the land laws of the United States."

Mr. ROBINSON of Indiana. Mr. Chairman, suiting the phraseology to the changed conditions, I shall offer that at the proper time as a substitute. I will not further occupy the attention of the committee.

The CHAIRMAN. The Clerk will read the next section of the bill.

Section 7 was read, as follows:

SEC. 7. That where in carrying out the provisions of this act it becomes necessary to acquire any rights or property, the Secretary of the Interior is hereby authorized to acquire the same for the United States by purchase or by condemnation under judicial process, and to pay from the reclamation fund the sums which may be needed for that purpose, and the United States circuit or district courts of the district wherein such property is located shall, concurrently with the courts of the State or Territory, have jurisdiction of proceedings for such condemnation, and it shall be the duty of the Attorney-General of the United States upon every application of the Secretary of the Interior, under this act, to cause proceedings to be commenced for condemnation within thirty days from the receipt of the application at the Department of Justice. And in all such condemnation proceedings in the United States courts the practice, pleadings, forms, and modes of proceedings in causes arising under this act shall conform, as near as may be, to the practice, pleadings, forms, and proceedings existing at the time in like causes in the courts of record of the State or Territory within which such circuit or district court is held, any rule of the court to the contrary notwithstanding.

The amendment reported by the committee was read, as follows:

In lines 20 to 23, page 7, strike out the words "and the United States circuit or district courts of the district wherein such property is located shall, concurrently with the courts of the State or Territory, have jurisdiction of proceedings for such condemnation." And in lines 4 to 11, on page 8, strike out "And in all such condemnation proceedings in the United States courts the practice, pleadings, forms, and modes of proceedings in causes arising under this act shall conform, as near as may be, to the practice, pleadings,



forms, and proceedings existing at the time in like causes in the courts of record of the State or Territory within which such circuit or district court is held, any rule of the court to the contrary notwithstanding."

Mr. RAY of New York. As an amendment to the amendment of the committee, I move to strike out section 7.

The amendment of Mr. RAY of New York was read by the Clerk.

Mr. RAY of New York. Mr. Chairman, I do not know that I care to say much more on this subject after what I said yesterday. One thing I will add now is that one of the best lawyers who ever sat in this House as a Representative, and he happens to be a Democrat, came to my committee room this morning and handed me a brief on this same subject and which contains some authorities that I had not happened to see, denouncing the whole proposition as unconstitutional and mere folly. I now offer this amendment to give the lawyers of the House a last chance to redeem themselves, to give them a chance to record their votes on the common-sense side of this proposition.

When this bill is written on the statute books and the Government of the United States undertakes to exercise this power, and somebody resists it and the courts denounce it as unconstitutional, you will say to yourselves, "Oh, was I simple enough to vote for such a proposition as that?" Avail yourselves of the opportunity and vote for this amendment and then refuse to vote for such a bill and such a proposition as is contained in this bill.

Mr. SHAFROTH. Mr. Chairman, I move that debate on the pending section and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Colorado moves that debate on the pending section and all amendments thereto close in five minutes.

The motion was agreed to.

Mr. MARTIN. Mr. Chairman, it is, I understand, one of the unwritten rules of this House that new members, like the children of our Puritan forefathers, are expected to be seen, but not heard. The vital importance of the pending measure, coupled with the fact that for twenty years or more, living in the West, I have witnessed the regeneration of portions of our arid and semiarid empire by the magic process of irrigation, is my apology, if apology be necessary, for taking part in this debate.

The State of South Dakota, represented by my colleague [Mr. BURKE] and myself, as regards this subject of irrigation is a fair epitome of the entire nation. One-third of our State is a second edition of Iowa, with a rainfall of from 25 to 30 inches annually, and growing regular and bountiful crops. Another third has a rainfall of from 20 to 25 inches, and is a natural dairy country, which industry is generally established and very prosperous. The remaining third of our State, with the exception of the Black Hills mountain range, which is rich in mineral products and has ample growth of forest and forage and a generous water supply, is by nature a stock country, the grasses being less luxuriant than in the other portions of the State, but very nutritious, and adapted to sustain large numbers of stock in both winter and summer. No portion of our State is arid, but perhaps one-third might be classed as semiarid, and can be vastly improved by artificial irrigation. We are interested in this proposed legislation for the same reasons that the people of the entire country are interested in it. Our State is very prosperous under present conditions. We come, therefore, not as paupers or mendicants seeking a bounty from the Government, but as citizens of a common country supporting a great industrial policy which we believe entitled to favorable consideration in the legislative councils of a great nation.

I find, as a rule, that the men who are opposing this proposed legislation have had no opportunity to fully investigate its merits. Those who have become familiar with practical irrigation—whether they reside in the East or the West—are generally supporting this measure. There has been a great advance in public sentiment upon this question in recent years, until it is well understood throughout the country that this is one of the most important subjects for the consideration of Congress.

The Chicago Record-Herald, in an editorial on January 26, 1902, said:

The question is now at the doors of Congress. It is in a large sense greater even than the issue of the isthmian canal. It must affect more people, build more for the nation, bring more lasting prosperity than any question now uppermost in the councils of the nation.

And the Chicago Inter-Ocean has recently declared:

The future of arid America is the greatest and most momentous problem before the American people to-day.

No one who has never witnessed it can realize the marvelous transformation that takes place when the life-giving waters from the mountain streams are turned upon the thirsty but fertile plains. A good illustration may be observed in the Salt River Valley in Arizona. This is an extensive valley with fertile soil, but without regular rainfall, and therefore naturally devoid of vegetation; a portion of it has been reclaimed by diverting the waters of the Salt River. The lands thus reclaimed are now sus-

taining a population of 50,000 people, including the thriving city of Phoenix, and present an agricultural picture of great profit and rare beauty. You may there see side by side in striking contrast, the heated desert and the blooming and blossoming fields. A section line or a township line will divide these contrasted conditions. On the one side, the lands having no water privilege will be as dry and barren as a public highway; on the other side, the lands reclaimed by irrigation are fruitful orange groves, and alfalfa fields growing four and five crops per year.

The bill provides that all moneys received from the sale and disposal of public lands in certain Western States and Territories shall constitute a "reclamation fund" to be used under the direction of the Secretary of the Interior for the construction of reservoirs and main canals for the purpose of storing the flood waters of our Western streams and using them upon the arid public lands. It provides that the public lands to be reclaimed by this process can be taken only by homestead settlers in quantities of not more than 160 acres each; that each settler may acquire a water privilege to the extent of the acreage of his homestead and that he shall pay for this water privilege in 10 annual installments his proportionate amount of the cost of the construction of the reservoir and main canal. Provision is also made for sale of like water privileges for not to exceed 160 acres each to actual residents who may already have lands that may be tributary to such reservoirs. As payments shall be made for these water privileges the amounts will pass to the reclamation fund to be used in the construction of other reservoirs and canals.

The bill is drawn exclusively for the protection of the settler and actual home builder, and every possible safeguard is made against speculative ownership and the concentration of the lands or water privileges into large holdings. In prosecuting the purposes of the proposed act the Secretary of the Interior is required to proceed in conformity with the laws of the State or Territory where the lands may be situated and the water appropriated, and vested rights can not be interfered with. Provision is made that as far as practicable the major part of the receipts from the public lands in each State and Territory shall be expended in the construction of reservoirs and canals in the particular State or Territory from which such receipts are derived. The bill was prepared after careful deliberation by a committee of 17 Senators and Representatives from the Western States and Territories. It was afterwards considered with great thoroughness by the committees of both the Senate and the House.

The Government still owns about 600,000,000 acres of public lands, not counting Alaska. Of this, about 50,000,000 acres are embraced in forest reserves and about the same amount are forest lands outside of the reserves. One hundred million acres more are included in Indian reservations, military, and other public reservations, leaving, practically, 400,000,000 acres, a large portion of which is arid and semiarid lands. It is estimated that 75,000,000 acres of this may be reclaimed by using water that is now going to waste. The plan is to store the flood waters that come from the melting snows and heavy rains of the spring which now run in a flood of destruction from the mountains to the Gulf of Mexico and to the Pacific, and distribute them over the valleys and plains during the season of summer drought.

It is asked, Why must this task be undertaken by the National Government? Why can not this be accomplished by private capital and private enterprise? The reason is plain. We have wisely adopted a public-land system which permits the public land to be taken only by individual settlers in small quantities, and generally under the homestead law. The policy of the Government is to build up communities of many settlers with small holdings, and not to encourage the prosecution of agriculture by large corporations. In this day of colossal enterprises private capital could reclaim arid lands at a great profit, providing the land and water could be owned and managed by private capital on a large scale.

Under present conditions large private capital may construct reservoirs and control the water supply, but can not acquire and operate the lands. The interests of the water corporation and the settler do not coincide. The result is that there will be constant friction between the corporation and the settlers as to rates and privileges, and the relation is not satisfactory to either. Such water companies have often failed. On the contrary, I have never known an instance of failure where the settler has taken out his own water right, or where several settlers have united and taken a water right for their common benefit. Such instances are common and have created some of the most valuable property interests in the West.

But the opportunities to take water by this method of direct appropriation are practically all utilized. The remaining opportunities are confined to large streams remote from the lands to be irrigated—or to constructing large storage reservoirs to save the flood waters. The expense of such enterprises is too great to be undertaken in the first instance by the settler who is struggling to build for himself a home. The only alternative is for

the Government to construct these works in the first instance, in the interest of the settler, or to abandon our public-land system and turn the public domain over to the operations of private capital. In this alternative there can be no doubt as to our public duty. No wiser piece of legislation was ever placed on our statutes than the homestead law. The public domain should be preserved for the home builder.

The opponents of this proposed legislation are laboring under some very serious misunderstandings of the real conditions involved and the real purposes of this legislation. The distinguished chairman of the Judiciary Committee, the gentleman from New York [Mr. RAY], who prepared the minority report against the bill, has said, on page 14 of the report:

Just how the expenditure of millions of dollars of the public funds, not a penny of which is to be returned to the Treasury of the United States for the use or benefit of the people, for the improvement of the public lands will promote the general welfare is not exactly apparent. Concede for the sake of the argument that the lands will be more valuable, more desirable, more salable, and will be more speedily settled when irrigated, still it is a conceded fact that under the provisions of the bill not a penny of pecuniary profit will accrue to the people of the United States. In a pecuniary sense there is a dead loss to the people of a sum variously estimated at from one to ten billions of dollars. It may be more, but can not be less.

The bill in terms provides that each settler shall pay his portion of the cost of reclaiming the lands, thus creating an increasing reclamation fund. When the task of reclamation is entirely completed this fund will be available to the Treasury of the United States for general purposes. The gentleman says there will be a "dead loss" of "from one to ten billions of dollars," and that "it may be more, but can not be less." There is quite a large margin between one and ten billions of dollars; but the gentleman does not appear to have figured close enough to inform us whether the expenditure authorized under the bill might be more or less than one billion or ten billions. The fact is that the appropriation authorized by the bill is limited to the receipts from the sale of public lands in the particular States and Territories where these reservoirs and canals are to be constructed. No charge is made by the Government for lands which are entered under the homestead law. The receipts therefore come chiefly from lands disposed of under some other of the public-land laws. Experience has shown that the receipts from year to year average about 33½ cents per acre for the lands disposed of, counting in the homestead acreage with the rest.

As I have already stated, we have left only about 400,000,000 acres of unreserved public lands, and if this could all be disposed of at the average rate of 33½ cents per acre it would create a fund of about \$133,000,000. A very large proportion of this acreage, however, is composed of arid lands which can not be reclaimed by reason of the inadequate water supply. It can not reasonably be expected that more than 100,000,000 acres of this domain can be disposed of within the next fifty years, if at all, which would create an aggregate fund of about \$33,000,000. This is probably the outside limit of what can be available under the present bill, and falls far short of either one billion or ten billions of dollars.

Again, the author of the minority report, on page 16, declares:

It is conceded on all hands that it will be utterly impracticable and usually impossible to have the reservoirs containing the water located in the same State with the land to be irrigated and some considerable portion of the irrigation works connected with and fed from such reservoirs.

This statement also is based upon an utter misapprehension of the facts. There are few, if any, cases in which the reservoirs can not be constructed in the state where the lands are to be reclaimed. The flood waters that are to be saved in almost every instance now run to waste in the natural water courses through the particular States where they will be utilized under this bill. Nevada presents the only instance of which I am aware where it may be necessary to conduct a water supply beyond the natural watersheds of those regions. That particular instance may raise some important legal questions. Under this bill the Secretary of the Interior can not interfere with vested rights or violate the State laws. It will be necessary, therefore, in the particular case referred to for the Secretary to adjust all possible conflicts before commencing construction.

The arguments advanced against this bill are twofold: First, legal—questioning the constitutionality of the measure; and, second, sectional—based upon the fear of serious competition with farmers of the Eastern and Middle States. The force of the constitutional objection is largely lost so far as the present bill is concerned, for this is not an appropriation of money directly, but of lands or, rather, their proceeds. The appropriation of public lands for educational and other purposes has been a common subject of legislation. The minority of the committee concede that the Government might grant these same lands to the States and allow them to reclaim and sell them, but deny that the Government has power to sell the public lands and use the proceeds to reclaim other lands for the occupancy of home seekers of the nation. The constitutional objection to the present

bill has become, therefore, a question of form rather than substance.

The legal argument of the gentleman from New York [Mr. RAY] is divided into two parts—first, an assault upon section 7 of the bill, which authorizes the Secretary of the Interior, when necessary to carry out the purposes of the bill, to acquire property rights by purchase or condemnation; and, secondly, the gentleman contends that the whole legislation proposed is unconstitutional.

This section 7, while an important one, is by no means the most important in the bill. It is drawn identically upon the plan of the general statute of eminent domain of August 1, 1888, which provides the manner in which officers of the United States, when it becomes necessary, may acquire property in furtherance of any public improvement.

It should be read in connection with section 8, which is in the nature of a limitation upon this section. Section 8 provides that the Secretary of the Interior, when proceeding under this act, must proceed in conformity with the State laws. It therefore makes, taking the two sections together, simply an instruction to the Secretary of the Interior to invoke the aid of the State laws upon the subject of eminent domain where necessary. Practically it will probably be but seldom enforced. The bill, however, would be very lame without it. I shall print with my remarks a memorandum of authorities upon the legal propositions involved in this discussion, but will not refer to them at length here.

The power of eminent domain is a necessary incident of sovereignty and is always so recognized. There is no specific grant of this power in the Constitution. The only reference to it is of a negative character in the fifth amendment to the Constitution, where it is provided that private property shall not "be taken for public use without just compensation." There was no Federal statute upon the subject until August 1, 1888—ninety-nine years after the adoption of the Constitution. The Federal Government, however, has always exercised this power, and its authority to do so has been repeatedly declared by both the Federal and State courts. For eighty years after the adoption of the Constitution the Federal authority uniformly exercised the power of eminent domain in condemnation proceedings through the medium of the State courts; but since 1880 condemnation proceedings on behalf of the General Government have been prosecuted in both State and Federal courts, according to convenience.

The subject of irrigation in the arid and semiarid States and Territories is commonly held to be a matter of public policy. The statutes of these States provide for the condemnation of reservoir sites and rights of way for canals, where necessary, in aid of persons or companies who are seeking to reclaim the arid or semiarid lands. The question whether the sovereignty of eminent domain for the purpose of promoting irrigation enterprises upon the public lands is in the State or Federal Government is unimportant. If in the State, the Government, as a landowner in the State, may apply to the State court as any other landowner may do. If the sovereignty is in the General Government, it may employ its own courts, or the courts of the State, with its consent, to administer the Federal authority.

The position of the Government as to its lands and water within the States is that of a private landowner. It has at least the same privileges as any other landowner to appropriate water for the irrigation of its lands. It may have more rights than the individual, and probably has, by reason of the constitutional authority to dispose of public lands and to provide for the general welfare. If so, it has sovereign power within a State to the extent necessary to execute this authority.

Most of the Government lands can be reclaimed without appropriating private property and especially without interfering with irrigated property, for the purpose is to utilize flood waters or other waters not now appropriated. Irrigated property must not be taken to the injury of irrigation rights now vested. Not only is this prohibited by the bill, but it would not be allowed under the general law of eminent domain—as one railroad company can not take property required by another railroad company for its operation. Interests of a similar nature must be harmonized.

The question of eminent domain as a separate proposition is not of serious importance. It all depends upon the constitutional authority to reclaim the arid lands. If there is no authority, Congress could not authorize the Secretary of the Interior to do it. If there is authority, the Government's authority is supreme, and eminent domain may be exercised in either Federal or State court. So the whole proposition really turns upon the other question which is raised as to whether or not the storage of flood waters and the reclamation of arid lands is a public purpose authorized by the Constitution. We claim it is.

It is conceded that the United States is a government with limited powers prescribed by the Constitution. An act is unconstitutional when against express provision of the Constitution, or when not included in an authority of the Constitution, either expressed



or implied. The particular provisions which we claim authorize the legislation now under consideration are the following:

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States. (Article IV, section 3, paragraph 2.)

The Congress shall have power to \* \* \* provide for the \* \* \* general welfare of the United States. (Article I, section 8, paragraph 1.)

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or office thereof. (Article I, section 8, paragraph 18.)

The authority "to dispose of" lands is a broad authority—much broader than to sell or transfer. Under this authority the Government may sell lands. It may also survey, mark the boundaries, lease or give away the public lands. The authority "to dispose" of the public lands carries with it power to do what acts are reasonably necessary in order to place the lands in condition that they may be disposed of. The Government may preserve and improve the public lands and make them more valuable or useful. Can not it uncover the mineral ledges in its mining regions, protect, preserve, and cultivate its forests, or bring water upon its vast acres that they may be sold? Otherwise the arid lands could never be disposed of.

The Government owns vast tracts of land which the Constitution says it may dispose of. It owns water to water these tracts. The land is valueless and useless without the water upon it; but it is contended that the Government is powerless to bring the water to the land that it may be made valuable and sold and for the benefit of the people. A nation powerless to so act for the welfare of its people would be a weak nation indeed.

Ownership and proprietorship in lands give the right to improve and sell them, inherently. The owner has a right to use his property and to do what is necessary to make it useful. This applies to the Government as well as to an individual, simply as the owner of large areas of land—without the express authority to dispose of it. Individuals may buy the arid lands of the Government and then reclaim them by irrigation under the laws of the State. Why can not the Government, merely as a landowner within the State, do the same as an individual—reclaim its own lands by irrigation projects under the State laws? Where does the individual acquire greater rights than the Government regarding lands which each may own within the State?

The power to provide for the general welfare of the entire people is one of the peculiar and important powers intrusted to Congress by the Constitution. To "promote the general welfare" was one of the purposes of forming the Constitution as set forth in the preamble. What purposes are public purposes, so that their advancement will promote the general welfare is a subject which has often been considered by the State and Federal courts. The important cases upon this subject are cited in my brief. Judge Cooley, in his work on Constitutional Limitations, page 533, says:

The Government also provides court-houses for the administration of justice, buildings for its seminaries of instruction, aqueducts to convey pure and wholesome water into large towns; it builds levees to prevent the country being overflowed by the rising streams; it may cause drains to be constructed to relieve swamps and marshes of their stagnant water; and other measures of general utility in which the public at large are interested and which require the appropriation of private property are also within the power where they fall within the reasons underlying the cases mentioned.

The precise question as to whether the irrigation of the arid lands of the country is a public purpose has been frequently considered by the courts, and in every case the point has been decided in the affirmative. In *Lewis on Eminent Domain* (section 202) the proposition is thus stated:

SEC. 202. Irrigation.—The construction of canals, conduits, and other works to convey or store water for irrigation in localities where the rainfall is insufficient or too uncertain for agricultural purposes, and which are for the use of all those capable of being supplied by them upon terms which may be regulated by law, would seem to be a public use within the meaning of the Constitution. Egypt was wholly dependent upon such works for its bountiful crops, and the principle is not unlike that which applies to public drains for the reclamation of low lands.

The question was passed upon by the Supreme Court of the United States in the case of *Fallbrook Irrigation District v. Bradley* (164 U. S., 112). It was claimed that the irrigation statute of the State of California (which permits taxation and proceedings in condemnation of private property in aid of general irrigation) was in violation of the constitution of the State of California, and also in violation of the Constitution of the United States. The Supreme Court in deciding the case not only followed the decisions of the supreme court of California sustaining the legality of the statute, but proceeded further and disposed of the case independently of the California decisions on broad principles of constitutional law. I read from the decision of the court:

Irrigation is not so different from the reclamation of swamps as to require the application of other and different principles to the case. The fact that in draining swamp lands it is a necessity to drain the lands of all owners which are similarly situated goes only to the extent of the peculiarity of situation and the kind of land. Some of these swamp lands may not be nearly so wet and worthless as some others, and yet all may be so situated as to be benefited by the reclamation, and whether it is so situated or not must be a question of fact. The same reasoning applies to land which is, to some extent, arid

instead of wet. Indeed, the general principle that arid lands may be provided with water and the cost thereof provided for by a general tax or by an assessment for local improvement upon the lands benefited seems to be admitted by counsel for the appellates. This necessarily assumes the proposition that water used for irrigation purposes upon lands which are actually arid is used for a public purpose, and the tax to pay for it is collected for a public use, and the assessment upon lands benefited is also levied for a public purpose. Taking all of the facts into consideration, as already touched upon, we have no doubt that the irrigation of really arid lands is a public purpose and the water thus used is put to public use.

The gentleman from New York concedes that this case necessarily determines that the irrigation of arid lands is a public purpose within a State; but claims that the case falls short of deciding that irrigation is a public purpose so far as the General Government is concerned. Of course, until the General Government shall pass an act authorizing the construction of national irrigation works, the question of authority to do so can not be passed upon directly by a Federal court. I submit, however, that there is no distinction in principle between the State and General Government upon this question as to whether the irrigation of arid lands is a "public purpose."

In either case the legislation will be sustained upon the principle that the public generally are interested in the reclamation of the arid lands of the country, and the general welfare is promoted thereby. The public interest is not confined to or limited by the invisible lines that mark the boundaries of States. The public lands especially belong to the people of the whole country, and a bill that proposes to reclaim the public lands is for the benefit of the people of the whole country.

Certain classes of objects or purposes may belong either to State or national authority, such as State forts or Federal forts, State roads or Federal roads, State court-houses or Federal court-houses, State irrigation or Federal irrigation.

The power to improve public lands resides somewhere. It is not in the States; they have no interest in them. It is not in the people; they have no interest, except indirectly through the Government. The power is in the United States, which has title and possession, and it may improve them for the general welfare of the whole country.

The various acts of Congress appropriating moneys to irrigate lands on Indian reservations are justified by the same authority as the present bill. The power to regulate commerce with the Indian tribes (Constitution, Art. I, sec. 8) does not cover it. I know of no specific authority in the Constitution except the general-welfare clause. It may be for the general welfare of the United States to aid the Indian tribes in the art of self-support. It is certainly in furtherance of the general welfare that the nation shall multiply the facilities by which each industrious citizen can make a home for himself and his family.

A nation is interested that its people shall be healthful, educated, and prosperous. Works that tend to the public health, public education, and public prosperity are public works. The storage of spring flood waters is a great national enterprise, to save destruction in the lower Mississippi and to refresh the thirsty lands in the Northwest. One purpose is as truly public as the other. The fact that private property may be benefited indirectly by the operations of the Government does not in either case lessen nor destroy the character of the works as public works.

Government aid to irrigation has been common for ages in other countries in which irrigation is a common necessity. Is our modern nation less able from lack of constitutional power or financial ability to project important enterprises of national irrigation than were ancient Egypt and Assyria, or than are modern Spain and Italy, and Great Britain in her gigantic irrigation projects in India?

The chief opposition to this bill has been based upon the fear of competition with the Eastern farmer. The first speech of this session on the subject of irrigation was made by the gentleman from Pennsylvania [Mr. SIBLEY]. He argued that the measure is a serious menace to the farmers of Pennsylvania and other Eastern States. The gentleman from Iowa [Mr. HEPBURN] has reminded us that our farmers now produce more than we consume; that we are exporting agricultural products each year, and concludes, apparently, that the expansion of agriculture should be checked. It seems to me that these views are narrow and ill-advised.

I have taken some pains to investigate the possible competition with Eastern agriculture from this movement. In 1901 there were in the United States 84,204,100 acres in corn cultivation, yielding 2,105,102,516 bushels. It is estimated that this bill will create a reclamation fund of \$2,500,000 annually, and that it will cost \$10 per acre to reclaim the arid lands. If this be approximately correct we can reclaim 250,000 acres per year. If this were all devoted to the cultivation of corn and should produce at the same rate as our present cornfields, it would increase the corn product, as compared to our present crop, in the proportion of 1 bushel to 336 bushels. It is like adding another bucket of water to Lake Michigan and expecting an overflow. The same year we

had 43,519,125 acres in wheat and raised a crop of 522,229,505 bushels. Upon the same basis of calculation, if we should devote the lands reclaimed each year to wheat growing we would add to the wheat crop annually 1 bushel for every 174 bushels now produced.

But of course we could not devote the entire reclaimed land to both wheat and corn the same year. As a matter of fact, these arid lands are not adapted to the growing of wheat, corn, and other cereals on a large scale. The conditions of altitude and climate where these lands are situated are such that they will never compete with the farm lands of humid regions in producing cereal products for the American and foreign markets. In the south the chief product will be tropical and semitropical fruits and in the north alfalfa and other hay forage to support in winter the herds of live stock which feed upon the ranges in summer. The vegetable and cereal products of that region will be entirely consumed locally by the new towns and cities that will spring up in the vicinity of these new settlements and by people engaged in the mining industry.

These new settlements will prove a great benefit to the manufacturing districts of the Eastern and Middle States by creating additional markets for their products. Our best market in America is our home market. Our foreign market is for our surplus. The more that we can consume at home the better it is for the manufacturer and for the farmer who lives close to the factory, and has his home market in feeding the laborer engaged in the factory. Ask your manufacturers where they have found the best markets for their products, and they will tell you they have found it in the developing communities of the Western States. As a rule, the Western people are liberal buyers. The new settlements of the West must be supplied with manufactured articles from the States to the east of us—saddles, harness, wagons, plows, implements of all kinds, furniture, cloth fabrics; in fact, everything except what they eat, and much that they eat.

If the opening of new lands for American homes would reduce somewhat the price of farm products, that is no sufficient argument against it. If 1 bushel of wheat or corn is raised in Iowa, another in South Dakota, and as a result the price of the Iowa bushel is lowered 1, 2, or 3 cents a bushel, that is no argument against raising the bushel in South Dakota. The nation has 2 bushels instead of 1, and the combined wealth of the nation is increased thereby. Adam Smith's definition of national wealth was a nation's ability to sustain population, and no better definition has yet been found.

America now produces vastly more than she consumes. Yankee ingenuity, supplemented by the superior skill of the American laborer, has invaded the markets of the world. We now export annually about one-third of our manufactured agricultural products. But that is no reason for closing our factories or abandoning our farms. The phenomenal balance of export trade in favor of the United States in recent years is one of the most important factors in the nation's increasing wealth. This growing export trade is bringing independence to the American farmer and is multiplying the comforts and conveniences of the American laborer. State lines are not barriers to our common progress. They are purely imaginary and invisible lines, as invisible as the meridians that mark the passing out.

The marvelous industrial progress of recent years could not have been accomplished if each State had been jealous of the other. Our progress has been made by developing the nation as a whole. The prosperity of California is the prosperity of Massachusetts and of every State lying between. The nation is greater than any of its parts. We have one flag, one people, one country, and one destiny. The statesman who builds on a narrower plan has not yet caught the inspiration of the day and generation in which we are living. He has not yet heard the inimitable music to which the industrial hosts of America are marching to the peaceful conquest of the commerce of the world.

The opening of new lands to settlement is not for the benefit of the people now living in these Western States, but for the home seekers of every city and county throughout the Union. Last year about 3,000,000 acres of land were opened to homestead settlement in Oklahoma. Settlers flocked to these lands from every State in the Union. Only 13,000 entries could be made. There were 70,000 applicants for these entries, or more than 5 settlers for each claim that could be taken.

The unit of American greatness is the American home. The strongest anchorage of the nation is that which ties each man and his family to one spot of earth called home. In times of public storm and stress it holds the nation firmly and safely upon its foundations. Each new American home creates a new life center of good citizenship, from which may radiate the influences that promote the best things in the life of the State and the nation.

Our homestead law was adopted in 1862. The nation was in civil war and in serious financial straits at the time. The temptation was great to sell our public lands at the highest price obtain-

able. The Congress, led by the gentleman from Pennsylvania [Mr. Grow], whose venerable presence is still spared to us to lend dignity and wisdom to the councils of this body, wisely concluded to adopt the broader policy. Congress then decided to encourage the home seeker to build up settlement, and that the nation would reap its reward in the greater national benefits that come from permanent and prosperous communities. Verily, it was "bread cast upon the waters," and we are finding it "after many days."

This legislation is in the interest of the home seekers of the overcrowded cities of the Eastern and Middle States. They are the beneficiaries as well as the present residents of the arid and semiarid States. As President Roosevelt has well said in his first message to Congress:

Our people as a whole will profit, for successful home making is but another name for the upbuilding of the nation.

It has been repeatedly stated in this debate that this bill proposes to tax the East for the benefit of the West. The bill proposes to tax nobody. It proposes to devote public lands, which belong to the people of the whole country, to the development of other public lands, which will continue to belong to the people of the whole country until disposed of. The people living in these particular States certainly have as great interest in these lands as people living outside of these States. We do not claim that they have any other or greater interest.

Mr. Chairman, I desire to say that it seems to me most unfortunate that this debate has assumed as it has progressed a sectional aspect. Our country is entirely too great, this bill and what it seeks to accomplish is entirely too national, to have its merits clouded by partisan or sectional debate. The truth is that the statesmen of America in planning for the future invariably fall short of the reality as the future is unfolded in the achievements of our country. Ninety-nine years ago all of the vast territory to which this legislation refers was purchased for \$15,000,000, which seemed an amount so large that it staggered the statesmanship of a century ago. Jefferson and Madison and Livingstone were criticised, and epithets were attached to them because of their work in that regard, and yet what has the future developed? The future has developed that 12 States have already been carved out of that Louisiana territory, and there are still three Territories remaining.

One of those States, Missouri, pays into the Treasury of the United States every twelve months in internal revenue a sum larger than the entire Louisiana territory cost. These arid and semiarid States alone that will be most immediately affected by this bill pay into the Treasury of the United States under the internal-revenue laws each twelve months all that the Louisiana territory cost. The new Commonwealth of South Dakota, which my colleague and myself here represent, produced in cereals, live stock, minerals, and other products in the last year \$113,000,000, nearly eight times as much as the Louisiana territory cost, and so I beseech you gentlemen of the intermediate States and of the East to take a national view of this proposition and do not confine your horizon for American achievements to the limits of a State alone.

Mr. TONGUE. I would inquire of the gentleman, Mr. Chairman, how much of that \$113,000,000 are expended in the East for manufactured goods?

Mr. MARTIN. A large amount of it, but that has been touched upon. It is urged against this bill that it is a Western measure. I deny that it is a Western measure alone. It is a national measure; but, gentlemen, worse things might be said against any piece of Congressional legislation than that it would benefit the West of this country. [Applause.] One hundred years ago all there was of this Republic was thirteen States down along the Atlantic seaboard. The indomitable spirit of enterprise and adventure which has made American civilization great among the civilizations of the earth seized upon our forefathers, and the long train of white movers' wagons began the ascent of the eastern slope of the Alleghenies, and moved on to take possession of the fertile sections of the central Mississippi and Ohio Valley States.

Fifty years ago the Western man crossed the Missouri River, traversed the great plains, scaled that mightiest and noblest of mountain ranges, the Rocky Mountains and the Sierra Nevadas, and proceeded to the conquest of the Pacific slope. Think what has been the progress of the country from that moment until now!

Championed by the immortal Lincoln, our first transcontinental railroad was constructed, connecting the Western and Eastern oceans. From that time forth "the West" and "the East" have been mere relative terms. Any place between New York and San Francisco is West, and any place between San Francisco and New York is East.

The center of population is gradually approaching the east bank of the Mississippi River. It will eventually correspond with the geographical center of the United States.

During the last half century the West has produced \$4,000,000,000 in gold and silver and made it possible to maintain our



currency on a specie basis, and now to maintain the gold standard in common with the best commercial nations of the world. The little county in which I live has produced one hundred millions of gold, and will continue its contribution of more than ten millions per year.

The West makes no apology for being. It is the natural offspring of the East and the South. Heroes of the Revolutionary war settled the fertile valleys of Ohio, Kentucky, Indiana, and Illinois; surviving heroes of the war of the rebellion cast their fortunes in the States and Territories of the intermountain West. Sons of the old North and the old South, the differences of their ancestors forgotten or forgiven, are united heart to heart and shoulder to shoulder in the material, intellectual, and moral upbuilding of this new world. The splendid stock has not degenerated by transfer to these new fields. The developing citizenship of that region is what may be expected when we remember its ancestry. Measured by the tests of intelligence and patriotism, it compares favorably with other portions of the Union. If you will consult the recent census, and from our 45 States select the 20 States that show the lowest percentage of illiteracy you will find that 12 of the 20 are States included in the provisions of this bill. When the recent test of patriotism was upon us in the Spanish-American war, the West responded in full measure of quantity and quality.

New home making upon the public lands under the present conditions has about reached its limit. The only way to considerably enlarge this privilege is by conserving the water torrents that now run their course of waste and destruction and pouring them upon the thirsty but fertile plains and valleys of the West. So reclaimed these lands will support a large population and will relieve our overcrowded cities. Let us signalize the opening years of this new century by adopting a broad national policy that will insure to every industrious American for another half century, at least, an opportunity to establish a home of his own and to enjoy the added independence and higher citizenship that come to himself and his family from its possession. [Applause.]

*Memorandum of legal authorities upon constitutionality of the bill.*

**EMINENT DOMAIN.**

No direct grant of the power of eminent domain is given in the Constitution; it follows as incidental to other powers therein granted and has an incident of sovereignty. (United States v. Gettysburg Electric Railway Company, 160 U. S., 681; United States v. Jones, 109 U. S., 513, 518.)

The United States has power of eminent domain so far as it is necessary to exercise the powers conferred upon it by the Constitution, and may exercise it in its own courts. (Kohl v. United States, 91 U. S., 367, 372; Cherokee Nation v. Southern Kansas Railway Company, 135 U. S., 641, 653; Shoemaker v. United States, 147 U. S., 282; United States v. Gettysburg Electric Railway Company, 160 U. S., 668, 673; Trombley v. Humphrey, 23 Mich., 471, 476, 478.)

The Federal Government may use the machinery of the State courts to appropriate private property for public use. (United States v. Jones, 109 U. S., 513, 520; Reddall v. Regan, 14 Md., 444; Orr v. Quimby, 54 N. H., 530; Gilmer v. Lime Point, 18 Cal., 223; Railroad Company v. Lowe, 114 U. S., 531, 532; Burt v. Insurance Company, 103 Mass., 356; Lewis Eminent Domain, sec. 203.)

The extent to which property shall be taken for public use rests wholly in legislative discretion. (Shoemaker v. United States, 147 United States, 282, 298; United States v. Gettysburg Electric Railway Company, 160 U. S., 668.)

**GENERAL-WELFARE CLAUSE.**

When Congress declares that a purpose is a public purpose its judgment will be respected by the courts unless the claim be palpably without reasonable foundation. (United States v. Gettysburg Railway Company, 160 U. S., 680; Gilmer v. Lime Point, 18 Cal., 252.)

In the following cases various objects are held to be public purposes: United States v. Great Falls Manufacturing Company, 112 U. S., 645. (Water for the city of Washington.)

Reddall v. Regan, 14 Md., 444. (Water for the city of Washington.)

Gilmer v. Lime Point, 18 Cal., 223. (Military fort.)

Kohl v. United States, 91 U. S., 367. (Site for public building in the city of Cincinnati.)

Cherokee Nation v. Southern Kansas Railway Company, 135 U. S., 641, 656. (Right of way for railroad.)

Shoemaker v. United States, 147 U. S., 282. (The Rock Creek Park.)

United States v. Gettysburg Electric Railroad Company, 160 U. S., 668, 679, 681, 682. (Tablets and monuments memorial of the battle of Gettysburg upon the theory that it would tend to the cultivation of patriotism among the people.)

United States v. Jones, 109 U. S., 513, 520. (A canal to connect Green Bay with Wisconsin River.)

Orr v. Quimby, 54 N. H., 530. (United States Coast Survey.)

Railroad Company v. Lowe, 114 U. S., 531, 532. (Military fort.)

Burt v. Insurance Company, 103 Mass., 356. (Post-office and treasury building.)

Lewis, Eminent Domain, § 203. (Miscellaneous purposes.)

Cooley on Constitutional Limitations, page 532. (Mill sites, highways, turnpikes, canals, wharves and basins, ferries, drainage of swamp lands, and water for cities and towns.)

Cooley on Constitutional Limitations, page 533. (Court-houses, buildings for seminaries of instruction, water for towns, and levees to prevent damage from floods.)

The reclamation of arid and semiarid lands is a public purpose, justifying taxation and authorizing the use of the laws of eminent domain. (Lewis, Eminent Domain, § 202; 10 Enc. Law (2d ed.), p. 1084, citing cases in Arizona, California, Colorado, Montana, Nebraska, Nevada, and Oregon; Fallbrook Irrigation District v. Bradley, 164 U. S., 151.)

The CHAIRMAN. The question is on the committee amendments.

The committee amendments were agreed to.

The CHAIRMAN. The question now is on the motion of the gentleman from New York [Mr. RAY] to strike out section 7.

The motion was rejected.

The Clerk read as follows:

SEC. 8. That nothing in this act shall be construed as affecting or intended to affect or to in any way interfere with the laws of any State or Territory relating to the control, appropriation, use, or distribution of water used in irrigation, but State and Territorial laws shall govern and control in the appropriation, use, and distribution of the waters rendered available by the works constructed under the provisions of this act: *Provided*, That the right to the use of water acquired under the provisions of this act shall be appurtenant to the land irrigated, and beneficial use shall be the basis, the measure, and the limit of the right.

The following committee amendments were read:

After the word "irrigation," in line 18, insert "or any vested right acquired thereunder."

Strike out all of lines 17, 18, 19, and 20 and insert in lieu thereof the following: "and the Secretary of the Interior, in carrying out the provisions of this act, shall proceed in conformity with such laws, and nothing herein shall in any way affect any right of any State or of the Federal Government or of any land owner, appropriator, or user of water in, to, or from any interstate stream or the waters thereof."

Mr. HEPBURN. Mr. Chairman, I appreciate what was said by the gentleman who has just taken his seat about the character of the men who settled this country, up, at least, to the margin of the Missouri River. Of course they are entitled to a great deal of credit, but I should like to remind the gentleman that they went into that wilderness and subdued it with their own means. They bought what they had and they own in that way, as the result of their own toil, all that they have. They did not come to the Government as mendicants, under a specious and false pretext, to get the Government to improve their lands.

I want to call the attention of gentlemen to the contributions that some of these States will make to this fund. Take the State of Nevada, for instance, and appropriate every dollar from the proceeds of the sales of public lands, and how far will that go toward the creation of this reservoir fund? Last year the Government received from the sale of lands from the State of Nevada \$9,300. What the cost of administration that you have exempted from this fund amounted to I do not know; but I imagine there is a deficit as against the Government and that the contributions of Nevada are nil to this fund. So with the State of Wyoming.

Mr. NEWLANDS rose.

The CHAIRMAN. Does the gentleman from Iowa yield to the gentleman from Nevada?

Mr. HEPBURN. I prefer not to yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. HEPBURN. The gentleman from Wyoming [Mr. MONDELL] is exceedingly liberal with other people's money. What will the State of Wyoming contribute to this fund? The whole of the sums received for the sale of public lands last year was \$188,000, and of that from mineral lands, from stone lands, and from coal lands, \$118,000; so that less than \$75,000 would be contributed to this fund.

Mr. SHAFROTH. Will the gentleman yield there?

Mr. HEPBURN. I prefer not to. The gentleman is exceedingly solicitous that men upon this side shall not talk, and therefore I do not choose to yield the little time that I can filch from his zeal to answer his questions.

I insist now, as I have before, that this is a thinly veneered and thinly disguised attempt to make the Government, from its general fund, pay for this great work—great in extent, great in expenditure, but not great in results. There can not be extraordinary results from it, in my judgment. Certainly there can be no return to the General Government. The lands that are to be affected by it, I again say, are in private hands. They are not Government lands; they are lands that you own now, and you are trying to compel the General Government to improve your lands. It is a spectacle that never has been presented before to the American people. Every one of you knows that these sums realized from the sale of public lands are covered into the Treasury of the United States as a part of miscellaneous receipts. They are a part of the common treasure. The only difference is that you will interrupt them in their passage and lay your hands of spoliation upon them before they get into the Treasury. That is all. It is none the less a filching from the common fund. [Applause.]

Mr. MERCER. Mr. Chairman, I congratulate this House and the country upon the fact that at last Congress is ready and willing to do something for irrigation. For a great many years the honest, industrious citizenship of Westland has been appealing to the National Government for relief, but not until to-day has the appeal received any definite recognition. At first only a few tillers of the soil, ardent lovers of agriculture, who by experience and practical demonstration knew the value of water to arid and semiarid lands, began the agitation; but as years grew on apace and the Republic became educated to the belief that irrigation was not only practicable but profitable, the small band of irrigation teachers swelled into a multitude until to-day there is not a

State or Territory in the Union where enthusiastic advocates of irrigation are not preaching and practicing the theory. We are now requested to pass this legislation by boards of trade as well as by farmers; by merchants as well as by agricultural societies; by labor organizations as well as by commercial bodies and banks.

The demand has become so general that it must be heeded by Congress, and I expect when the vote is taken to-day a very large majority of the members of this House will vote for the bill. It is not a political or partisan question, for people of all parties ask it. The national platforms of the two great political parties in 1900 declared in no uncertain tone in favor of the Government, by suitable legislation, reclaiming arid and semiarid lands and holding the same for actual settlers.

Note the plank in the Republican national platform:

In further pursuance of the constant policy of the Republican party to provide free homes on the public domain, we recommend adequate national legislation to reclaim the arid lands of the United States, reserving control of the distribution of water for irrigation to the respective States and Territories.

Democratic:

We favor an intelligent system of improving the arid lands of the West, storing the waters for purposes of irrigation, and the holding of such lands for actual settlers.

For years prior to 1900 the Senators and Members of Congress representing States and districts containing lands subject to reclamation by irrigation, by voice and pen sought Government recognition, and by State and interstate organizations impressed upon the Government and the people of the country the importance of this legislation, and, last but not least, the President of the United States, Theodore Roosevelt, who, by ranch life in the Dakotas and by travel through arid lands, is fully qualified and competent to pass upon this question, brought the subject to the attention of Congress in that remarkable state paper his message when the Fifty-seventh Congress first convened in session; and allow me to pause long enough to say that President Roosevelt, by this recognition of irrigation, is more responsible than anyone else for the law we are about to enact, for without his suggestions, advice, and influence I fear the friends of irrigation would have followed a forlorn hope. By his action he has earned the lasting gratitude of the patriotic people of the great West, and his political future is safe in their hands.

I quote from his message:

Public opinion throughout the United States has moved steadily toward a just appreciation of the value of forests, whether planted or of natural growth. The great part played by them in the creation and maintenance of the national wealth is now more fully realized than ever before.

Wise forest protection does not mean the withdrawal of forest resources, whether of wood, water, or grass, from contributing their full share to the welfare of the people, but, on the contrary, gives the assurance of larger and more certain supplies. The fundamental idea of forestry is the perpetuation of forests by use. Forest protection is not an end in itself; it is a means to increase and sustain the resources of our country and the industries which depend upon them. The preservation of our forests is an imperative business necessity. We have come to see clearly that whatever destroys the forests, except to make way for agriculture, threatens our well-being.

The forests are natural reservoirs. By restraining the streams in flood and replenishing them in drought they make possible the use of waters otherwise wasted. They prevent the soil from washing, and so protect the storage reservoirs from filling up with silt. Forest conservation is therefore an essential condition of water conservation.

The forests alone can not, however, fully regulate and conserve the waters of the arid region. Great storage works are necessary to equalize the flow of streams and to save the flood waters. Their construction has been conclusively shown to be an undertaking too vast for private effort. Nor can it be best accomplished by the individual States acting alone. Far-reaching interstate problems are involved; and the resources of single States would often be inadequate. It is properly a national function, at least in some of its features. It is as right for the National Government to make the streams and rivers of the arid region useful by engineering works for water storage as to make useful the rivers and harbors of the humid region by engineering works of another kind. The storing of the floods in reservoirs at the headwaters of our rivers is but an enlargement of our present policy of river control, under which levees are built on the lower reaches of the same streams.

The Government should construct and maintain these reservoirs as it does other public works. Where their purpose is to regulate the flow of streams, the water should be turned freely into the channels in the dry season to take the same course under the same laws as the natural flow.

The reclamation of the unsettled arid public lands presents a different problem. Here it is not enough to regulate the flow of streams. The object of the Government is to dispose of the land to settlers who will build homes upon it. To accomplish this object water must be brought within their reach.

The pioneer settlers on the arid public domain chose their homes along streams from which they could themselves divert the water to reclaim their holdings. Such opportunities are practically gone. There remain, however, vast areas of public land which can be made available for homestead settlement, but only by reservoirs and main-line canals impracticable for private enterprise. There irrigation works should be built by the National Government. The lands reclaimed by them should be reserved by the Government for actual settlers, and the cost of construction should, so far as possible, be repaid by the land reclaimed. The distribution of the water, the division of the streams among irrigators, should be left to the settlers themselves, in conformity with State laws and without interference with those laws or with vested right. The policy of the National Government should be to aid irrigation in the several States and Territories in such manner as will enable the people in the local communities to help themselves and as will stimulate needed reforms in the State laws and regulations governing irrigation.

Irrigation was known to the inhabitants of the East thousands of years ago. Even in America, before the time of Columbus,

irrigation ditches were dug. In Egypt, India, China, and Japan the people centuries ago knew the benefits of irrigation and indulged in it to a greater extent in proportion to the population than do the inhabitants of those countries to-day. There, as here, however, the system of ditches, canals, and dikes increased with the population and wealth of the country. In Egypt irrigation was and is a necessity. Without it there can be no crops, and hence no people. Last summer I had the pleasure of traveling many miles along the banks of the Nile, and I saw a practical demonstration of irrigation which would convince even my good friend, the gentleman from New York [Mr. RAY], that, Constitution or no Constitution, the scheme was practical, profitable, and a good thing for the country—miles and miles of ditches and canals; a multitude of people happy and contented as they planted a crop which they knew would grow and be harvested; water in plenty, under absolute control and proof against eternal sunshine. I saw immense storage reservoirs, constructed by British capital at a cost of millions of dollars, strong enough to stand storm and age and large enough to hold all the water needed to irrigate the country in that vicinity whenever moisture becomes a necessity. I saw the benefits of irrigation in India, China, and Japan, without which countless millions would starve and industry and enterprise go into bankruptcy. Much could be said about irrigation in other lands, but my time is limited and you are anxious for a vote.

What is irrigation? My friend Mr. NEWLANDS, the distinguished member from Nevada, who, by the way, should be a happy man this day, as he has been one of the firm friends of irrigation from the start, has given you his idea of its definition, and I am so well satisfied with it that I incorporate it here:

Irrigation is practiced only in arid and semiarid countries where the rainfall is either entirely lacking or is insufficient to raise crops. In our arid region there is a heavy deposit of snow during the winter on the mountains. This snow melting forms streams, which are torrential in the spring and early summer, but dry, or nearly so, later in the season. For irrigation the water is taken out of such streams by canals and ditches and distributed over the land. The difficulty is that the water is abundant when it is least needed and scant when it is necessary to mature the crop. The aim, therefore, is to store in reservoirs the water that runs to waste during the flood season. To do this the various watersheds must be treated in a scientific way. The ground must be accurately surveyed and located so as to store the greatest quantity of water at the most available places. The idea is that the Government should do the primary work of constructing the reservoirs and larger canals, so that the water may be brought within the reach of those who are to settle on the public lands and use it in their reclamation and cultivation.

Storage enables the utilization of a greater amount of the torrential waters in irrigating the arid plains, as the stored waters supplement the torrential waters later on and ripen the crops, which would otherwise be burned by the hot sun. Storage involves the treatment of an entire watershed in a scientific way, regardless of State lines. The problem is to maintain an equal and sustained flow of the streams, so that the torrential waters may be kept from flowing to waste and may be conserved and let into the stream when the natural supply is exceedingly limited. Very large rivers have numerous tributaries, with their sources in the snows of the mountains. The more water there is stored the greater the extent of the torrential waters that can be utilized in irrigation, for storage guarantees the service of water when it is most needed, and settlers can safely take out the torrential waters in the spring and bring larger areas of land under cultivation when they feel assured that the stored waters will come on later in a period of drought and furnish the crops with the needed moisture.

Why is irrigation a necessity? When our forefathers came to America they settled along the coast line of the Atlantic Ocean, and as population increased settlements moved westward. In time the fertile lands of America became peopled and gradually increased in price. When farm lands in New England became too valuable they were sold, and the sons and daughters in search of cheaper lands invested their money in the Middle West, while the farmer of Ohio and Illinois sent his children to States farther West. We now have 80,000,000 people in America. The choicest farm lands have been tickled with the hoe until they have laughed their holders into fortunes or into a desire to sell a small farm for a large one, in order that they may obtain large acreage for a small price. But no farmer will sell good land with the expectation of continuing in the agricultural business unless he is assured of other lands suitable to his wants.

To-day in order to do this he must go to Canada and buy cheap lands or have arid or semiarid lands irrigated and invest in them. I regret to say that because we have delayed recognizing irrigation thousands of splendid American citizens have sold their valuable farms in the West for from \$50 to \$100 per acre and moved to Canada, where they were offered land for \$5 and \$6 per acre, good wheat land to be sure, but incomparable to the semiarid lands of Nebraska when under irrigation, not to mention the loss of American citizenship. No, my friends, let us keep our boys at home by irrigating millions of acres in the great West as a habitation for them. This legislation will not injure the farmers of New England and the East, and President Roosevelt has explained this better than I can do it.

In his message to Congress President Roosevelt pointed out clearly the reasons why the Eastern farmers will not be injured by further irrigation development in the West, when he said, "The reclamation and settlement of the arid lands will enrich every portion of our country, just as the settlement of the Ohio and Mississippi valleys brought prosperity to the Atlantic



States. The increased demand for manufactured articles will stimulate industrial production, while wider home markets and the trade of Asia will consume the larger food supplies and effectually prevent Western competition with Eastern agriculture. Indeed, the products of irrigation will be consumed chiefly in upbuilding local centers of mining and other industries which would otherwise not come into existence at all. Our people as a whole will profit, for successful homemaking is but another name for the upbuilding of the nation."

The principal objection raised by the opponents to this measure is its expense and unconstitutionality. These opponents do not complain of the expense authorized by this bill, but say that to continue the work authorized by this legislation will bankrupt the Government. Why borrow trouble? If this legislation meets the expectations of its friends, in a very short time it will be self-sustaining. If, on the other hand, all we hope for comes to naught and the scheme proves to be impracticable, a future Congress can very easily repeal this legislation. The gentleman from New York [Mr. RAY], who leads the fight on this floor against irrigation, admits in his report that irrigation will make productive millions of acres. I quote from page 4:

It is asserted that if the proceeds of the public lands are wisely used in the construction and operation of suitable irrigation works, including reservoirs for the storage of water, artesian wells for pumping water out of the earth, and ditches and canals for conducting water from place to place, millions of acres of unproductive land will be made fertile and opened up to settlement, thus providing homes for millions of people. It can not be doubted that millions of acres of land in the States and Territories named may be made productive by suitable irrigation works, provided an ample and continuous water supply can be obtained.

He also admits, on page 5 of the same report, that irrigation will enhance the value of all lands irrigated.

The construction of these irrigation works and reservoirs at the public expense will inure to their benefit, for it will bring their lands into the market at twenty times their present value.

In these admissions he destroys his own case unless his view of the Constitution, always the last stand of a man who does not know his subject, protects him. Daniel Webster knew the Constitution, could expound it to the satisfaction of patriots, if not always to courts. I refer my friend to the following:

Hayne had asked, "What interest has South Carolina in a canal in Ohio?" Webster replied:

"Sir, we narrow-minded people of New England do not reason thus. Our notion of things is entirely different. We look upon the States not as separated, but as united. \* \* \* In whatever is within the proper sphere of the constitutional power of this Government we look upon the States as one. We do not impose geographical limits to our patriotic feeling or regard; we do not follow rivers and mountains and lines of latitude to find boundaries beyond which public improvements do not benefit us. \* \* \* Sir, if a railroad or canal, beginning in South Carolina and ending in South Carolina, appeared to me to be of national importance and national magnitude, believing as I do that the power of Government extends to works of that description, if I were to stand up here and ask what interest has Massachusetts in a railroad in South Carolina, I should not be willing to face my constituents."

In all frankness let me say to my constitutional friends that the Supreme Court of the United States represents all the people when it comes to construing the Constitution, and very seldom does that body of learned jurists agree upon constitutional constructions. In nearly every case brought before that tribunal, where constitutional grounds are discussed, able counsel, representing opposite sides, argue with vehemence and sincerity in favor of their respective propositions, and the court finally settles the point by a majority vote. I am in favor of granting to my friends upon this floor who throw the Constitution at us so often a place with the minority, and the friends of irrigation will take their chances with the United States Supreme Court as a body if after the passage of this act it becomes necessary to test its constitutionality.

In conclusion, I am proud of the fact that the entire delegation from Nebraska—two Senators and six Members of Congress—has been foremost in the fight for irrigation, and I rejoice that a Republican President and a Republican Congress have given this legislation to the people. [Applause.]

The gentleman from Wyoming [Mr. MONDELL], in charge of this bill on the floor of the House, so admirably describes the location of arid and semiarid lands in America and the acreage to be reclaimed that I quote from his report to the House on S. 3057:

The thirteen States and three Territories named in the bill contain 974,172,800 acres of land, or 1,522,145 square miles, a little more than one-half of the entire area of the United States exclusive of Alaska. Of this territory, 318,042,901 acres are in private ownership, 120,643,168 acres are reserved for various purposes, and 535,486,731 acres, or a little over one-sixth of the entire area of the country exclusive of Alaska, are subject to entry under the various land laws.

Of the States named, Kansas and Nebraska contain no lands which, strictly speaking, are arid, though nearly one-third of the Western portion of each State is semiarid, and a considerable portion of these semiarid lands are susceptible of irrigation. The amount of land remaining in public ownership in these States is comparatively small—in Nebraska about one-tenth and in Kansas a considerably smaller proportion.

Over one-third of North and South Dakota are within the arid and semiarid belt. The portions of the States of Oregon and Washington lying west of the Cascade Range have a humid climate, while the portions lying east of the range, comprising considerably over one-half of the territory of the two States, are arid or semiarid. In California arid and semiarid conditions exist over two-thirds of the State, while nearly one-third of Oklahoma is semiarid in character. The other States and Territories named in the bill

are wholly within the arid region, and, except within limited areas affected by local conditions, agriculture can only be successfully carried on within their borders under irrigation.

Of the public lands subject to entry in the region referred to, but an infinitesimal portion has sufficient rainfall to produce with reasonable certainty the ordinary agricultural crops without irrigation. It is true there are some areas of timbered lands in Washington, Oregon, and Idaho which, when cleared, will produce crops without irrigation, and here and there throughout the entire region small detached tracts which, by reason of local conditions favorable to precipitation and retention of moisture, will yield fair returns of certain classes of farm products, but these areas, taken altogether, are so comparatively limited in extent as to constitute relatively unimportant factors in the agricultural development of the region or the nation.

A very considerable portion of these lands is rough, rocky, and mountainous and of very little value for any purpose. A still larger portion will never be of any value except for grazing purposes, while the area which is possible of reclamation by irrigation is comparatively small.

In forty years of unwearying effort the American pioneer has irrigated in this region about 7,500,000 acres of land. The acreage under irrigation at this time in the States and Territories affected by the bill is approximately as follows:

*Irrigated acreage by States and Territories.*

	Acre.		Acre.
Arizona.....	185,396	North Dakota.....	5,202
California.....	1,446,119	Oregon.....	388,198
Colorado.....	1,611,271	Oklahoma.....	2,761
Idaho.....	602,548	South Dakota.....	43,010
Kansas.....	26,497	Utah.....	629,273
Montana.....	970,231	Washington.....	135,936
Nebraska.....	148,538	Wyoming.....	606,942
Nevada.....	504,108		
New Mexico.....	204,508	Total.....	7,510,598

*AMOUNT OF LAND WHICH MAY BE IRRIGATED IN THE FUTURE.*

As to the amount of land which may ultimately be reclaimed by irrigation, estimates have been made all the way from 35,000,000 to 70,000,000 acres. This seeming divergence of opinion is more apparent than real, as the amount of the estimate depends upon whether it is made with reference to the distant future when all available water supplies will be utilized, some of it at a cost which under present conditions would be entirely prohibitive, or is made on the basis of the area which may be irrigated at a cost warranted by present conditions or such as are likely to obtain within the next two or three decades. From the latter standpoint the smaller acreage above stated is undoubtedly abundantly high, while looking into the distant future, when a vast increase of population will warrant large expenditures and we have learned to practice the greatest economy in the use of water in irrigation, the larger figure is probably not an excessive one to measure the area which will ultimately be irrigated in the arid and semiarid regions of the United States.

Of the 16 States and Territories named in the bill, in all save 4 more than half of their area is owned by the National Government. In half of them Uncle Sam owns 65 per cent of all the land, while in 4 less than 8 per cent of all the lands are in private ownership and taxable, as shown by the following table:

State.	In private ownership.	Reserved.	Subject to entry.	Total.	Amount in public ownership.
	Acre.	Acre.	Acre.	Acre.	Per cent.
Arizona.....	5,736,258	18,285,008	48,771,054	72,792,320	92
California.....	41,857,242	16,063,670	42,049,008	99,969,920	57
Colorado.....	21,538,185	5,694,161	39,115,814	66,348,160	63
Idaho.....	9,070,953	1,747,311	42,475,176	53,293,440	88
Kansas.....	50,809,530	987,875	1,065,315	52,882,720	4
Montana.....	15,442,762	12,847,531	65,803,307	93,593,600	84
Nebraska.....	39,140,968	69,642	9,926,670	49,137,280	17
Nevada.....	3,031,006	5,983,409	61,322,225	70,336,640	96
New Mexico.....	16,454,495	6,885,181	55,589,124	78,928,800	79
North Dakota.....	24,583,098	3,370,491	16,956,491	44,910,080	45
Oklahoma.....	12,962,927	7,157,868	4,653,605	24,774,400	48
Oregon.....	21,962,596	5,500,821	33,784,023	61,277,440	63
South Dakota.....	24,534,450	12,802,946	11,869,004	49,206,400	50
Utah.....	4,537,917	5,487,668	42,515,855	52,541,440	92
Washington.....	20,069,148	10,764,568	11,913,164	42,746,880	53
Wyoming.....	6,781,366	7,965,018	47,656,890	62,433,280	90
Total.....	318,042,901	120,643,168	535,486,731	974,172,800	.....

It will be readily understood that with no source of revenue for the irrigation of these lands except ordinary taxation and with but a small portion of their lands taxable the States can not by any possibility secure funds to carry on reclamation.

Mr. SHAFROTH. I move that all debate on this paragraph and amendments close in five minutes.

The motion was agreed to.

Mr. RANDELL of Louisiana. Mr. Chairman, it is said that a fellow-feeling makes us wondrous kind. I live along the bank of the Mississippi River, in that great region which is annually visited by devastating floods, and I presume the fact that I have entirely too much water in my region of country makes me sympathetic for those who have no water.

Now, Mr. Chairman, it seems to me a little bit ungenerous on the part of the gentleman from Iowa—

Mr. HEPBURN. I just want to remind the gentleman that he is proposing to kill the goose that lays the golden egg. If they stop the water up at its source the gentleman will have no pretext for the usual expenditure down in his bailiwick.

Mr. RANDELL of Louisiana. Mr. Chairman, I am surprised at the profound ignorance of the hydraulics of the Mississippi River displayed by the gentleman from Iowa, who has been making us speeches about that river for many years. In a

recent speech, when the river and harbor bill was under discussion, he fell into several egregious errors about the commerce and navigability of the river which I had the honor to correct, and now he would have us believe that the waters from the arid States, if impounded in reservoirs, would materially diminish the floods of the lower river and render unnecessary the usual expenditures in my bailiwick. This error would be pardonable in some men—and, indeed, many others share it with Mr. HEPBURN—but from the man who year after year raises his powerful and eloquent voice in opposition to the Mississippi River and does his utmost to prevent any expenditure of public money thereon I think it is absolutely without any excuse or justification.

What is the truth of this matter? Why, sir, the floods on the lower river are caused by waters from the Ohio River and its great tributaries, the Tennessee and the Cumberland; second, by heavy rains in the central valley; third, by the Upper Mississippi; fourth and last, by the Missouri River east of Kansas City. The effect of the melting snows of the Rocky Mountains is inappreciable, and what water there is from that source comes after the dangerous spring floods have subsided. Do not take my word for this, but examine the report of Humphrey and Abbot on the Mississippi River, pages 384 et seq.; also Bulletin E, Department of Agriculture, for 1897, pages 46 et seq.; also Appendix PP to Annual Report of the Chief of Engineers for 1898, pages 2863 et seq.

Humphrey and Abbot say that the only practicable site for reservoirs, to be of any real benefit in restraining the floods in the lower river, is in the Ohio River basin, as the character of basins of the Upper Mississippi and Lower Missouri is such that the reservoir system is impracticable in them. Bulletin E is an exhaustive study of the floods of the Mississippi River, their causes, etc., and was prepared by Mr. Park Morrill, under the direction of Mr. Willis L. Moore, Chief of the Weather Bureau. All of the great floods of the past twenty-five years are carefully studied from the actual and very complete data of the Bureau, and a perusal of same will convince even Colonel HEPBURN that the author's conclusions are correct. He says:

It is, of course, conceivable that a flood should occur in the Lower Mississippi from heavy precipitation over any of the great contributory basins. In these floods of the past quarter century we do not, however, find the western tributaries playing an important part. The great source of floods is the Ohio basin, with its steep slopes from the crest of the Alleghenies, upon which fall the heaviest rains of spring, at a time when the normal rise of the Lower Mississippi brings the river almost to the danger line from Cairo to the Gulf. In the greatest floods we also find that heavy rainfall over the great swamp region that extends along the Mississippi from the mouth of the Ohio to the Gulf of Mexico is an important factor. Third in importance as a factor in producing floods is the Upper Mississippi, which, while never discharging a volume sufficient to produce of itself a flood, yet, rising later than the Ohio, serves to prolong the high water and thus to increase the overflow.

Thus, according to this author, the western tributaries have not been an important factor in the floods of the past twenty-five years and are not enumerated by him in assigning their causes.

An authority equally as high as Messrs. Humphrey and Abbot and Moore and Morrill is Lieut. Col. Hiram R. Chittenden, Corps of Engineers, United States Army, who made an elaborate study of the Mississippi and Missouri River floods in connection with an examination for reservoir sites in Wyoming and Colorado. He is a strong friend to irrigation of the arid lands by Government aid, and had the facts warranted it, would have been delighted to show that reservoirs would diminish floods. In Appendix PP, above mentioned, he says:

Few people have any adequate conception of either the origin or the magnitude of great floods like those on the Lower Mississippi. It is a common error to think that they come largely from the melting snows in the mountains, yet the floods of the Mississippi nearly all come at seasons when the flow from the mountains is very small. In the greatest known flood of the Mississippi at St. Louis, that of 1844, a large part of which came from the Missouri, the latter stream was found by pilots to be in low-water stage above Sioux City. On the occasion of the late heavy flood in the Mississippi, when at its maximum stage, the Arkansas carried practically no water across the Kansas-Colorado line, the Platte did not run above 2,000 cubic feet per second at North Platte, Nebr., and the Upper Missouri and Yellowstone were both in low-water stage. The floods of the Mississippi do not come from this direction. They are formed by the heavy rains in the low regions east of the ninety-eighth meridian, and very largely come from east of the Mississippi itself. The great controlling element, in fact, in all the lower river floods is the Ohio river.

The magnitude of these floods also depends very largely upon fortuitous combinations of the floods in its tributaries. No single flood from any one of these tributaries, except the Ohio, can produce serious consequence in the main river. But if two or more of them discharge excessive floods in the main stream simultaneously, then it is that great disasters follow. Very fortunately, nature has caused these flood waves to arrive generally at different periods, and the more disastrous combinations are not of frequent occurrence.

It is apparent, therefore, that a reservoir system which should exercise any appreciable influence on the lower-river floods must embrace the three great upper tributaries, and particularly the Ohio.

I think, therefore, Mr. Chairman, that in supporting this bill for restraining the floods of my great river I am not killing the goose that lays the golden egg. I am not stopping those floods at their source, and so far as this bill is concerned I will have the same excuse as of old for the usual expenditures in my bailiwick.

I place my support of this measure on entirely different and, I hope, higher grounds than self-interest.

Our Government is owner of 600,000,000 acres of land in the arid regions, 74,000,000 of which can be irrigated. It has the same right to improve its property that any private owner has. Being a large proprietor of worthless land which brings no revenue and is worse than useless in its present condition, it would seem the part of wisdom to improve this land and have it settled by thrifty people who will be an honor and help to our country.

This is what any prudent business man would do, especially if he could operate on a plan which would not require him to draw on his other resources, but was such that the land would improve itself. If this be true of an individual it must be true of the Government, because its inherent powers over its own property are certainly as great as those of one of its citizens. If we seek for special constitutional warrant for this bill it is found in the general welfare clause of Article I, section 8 of our Constitution and in section 3 of Article IV, which says that Congress shall have power to dispose of and make all needful rules and regulations respecting the territory and other property of the United States.

But if we concede that Congress has the right to do this, is such action wise and proper at this time? The plan of the present bill is to dedicate all the public lands in the arid and semiarid States to irrigation except 5 per cent of the proceeds of sale of same, which is reserved for education. Where can we find a precedent for such action? In the grant or donation of 197,000,000 acres of public land to the railroads of the country to aid in their construction. Of this amount 35,000,000 acres were forfeited by subsequent legislation, leaving unforfeited 162,000,000, of which 96,683,201.1 acres have been patented, and 65,316,798.82 acres are yet unpatented.

You will get some idea of the magnitude of these railroad grants by reflecting that the entire area of the great State of New York contains only 31,468,800 acres, and that New York, Pennsylvania, Ohio, and Maryland combined contain only 94,499,200 acres, or over 2,000,000 acres less than have actually been patented to railroads, without considering the additional 65,316,798.82 acres which they have a right to patent. This total area, given as a free donation to the railroads, is greater than six States the size of Ohio, and more than twice as great as can ever be irrigated in the entire West.

I believe these railroad grants were wise and that they resulted very beneficially to our Union. But for them the development of some of our most prosperous States would have been slow and painful in the extreme, and where there are now populous cities and fertile fields the coyote and buffalo would roam in freedom over their native heath. It was necessary to give these vast tracts, equal in area, as I have shown, to six times the size of Ohio, in order that the other portion of the public domain might become valuable, in order that cheap homes might be found for the sturdy immigrants flocking to our shores, and for the strenuous boys and girls of our Eastern cities and farms, and in order that we might span our continent and connect the oceans of the Orient and Occident with bands of steel. Much objection was urged at the time to these grants, but I believe it is now generally conceded that no better use could have been made of our public lands.

Another precedent is in the vast swamp-land grants given to 15 of our States, amounting to 60,115,714.08 acres. This would be an average of 4,000,000 acres to each State if divided equally. My own State of Louisiana received 9,132,018.94 acres of these swamp lands, and Florida received 17,162,798.52, making for the two States 26,294,817.46 acres, or nearly one-half of the whole. And why was the Government so liberal to Louisiana and Florida? Were these two States favorite children who were receiving undue shares of the parental estate? By no means. The land was given because it was swamp land and worthless to the Union, and it was hoped that the States would reclaim it and render it valuable.

Louisiana spent enormous sums in levee building to protect its lands from overflow of the Mississippi River, and as the levees were completed much of this swamp land was reclaimed and sold, the proceeds thereof going to build new levees, which in turn protected other lands. The first swamp grant to Louisiana was in 1849, over half a century ago. The process of land reclamation is still going on actively, and will continue to go on for many years before the wise and benevolent purpose of the Government in donating this land to Louisiana shall have been accomplished. Certainly no man can question the wisdom of this grant, because this land was utterly unfit for homesteads or for any purpose whatsoever in the hands of the National Government, and the State was enabled to reclaim it only by a vast expenditure of money. The reclamation process was very slow, having already lasted over fifty years; but it was not as slow, in my judgment, as irrigation will be.

To my mind there is great similarity between these railroad



grants of lands, practically worthless until the roads were constructed; the swamp lands, actually worthless until reclaimed by heavy expenditures, and the arid lands of the West, which are now barren wastes and will remain so until redeemed by irrigation. If the policy was wise and constitutional in one case, it will be in the other. These arid lands have no value to the Government now, and, unless they are irrigated, will always be worthless. I consider that in dedicating all the public lands in these 13 States and 3 Territories to the redemption by irrigation of the 74,000,000 acres susceptible of redemption, the Government will be acting as a farseeing, prudent business man.

It is true that there are about 600,000,000 acres of public lands in these States and Territories, but only 74,000,000 acres, according to the Geological Survey and Secretary of the Interior, can ever be redeemed and made suitable for agriculture. Some of the remainder is valuable for its minerals and for grazing. There is no danger of vast quantities of cheap land being thrown on the market, as once happened in the early days of the development of our great Middle West. Irrigation is at best a very slow and expensive business. All that the Government would do in most places would be to construct reservoirs to impound the waters. This would cost an average of \$4 to \$5 per acre, which would be a charge on the land benefited and would have to be repaid by the settler at the rate of one-tenth annually for ten years.

In addition, the settler would have to level his land and excavate irrigation ditches to convey the water from the river or reservoir to his land, and this cost would be \$15 to \$20 per acre additional, so that every acre of his land would cost him at least \$20, or an average probably of \$25. This presents a very different situation from that of the homesteader on the fertile plains of Iowa, Wisconsin, and Minnesota, for example, who got the finest land on earth absolutely free of cost. Of course, the rush to these lands was great and rapid, but \$25 per acre is a different thing. Moreover, even if money could be found at once to construct these vast reservoir dams, it would take many years to complete them and put the lands in condition for profitable irrigation.

The process will be a slow and tedious one. The man who gets the benefit of these reservoirs will pay out three dollars for every dollar paid by the Government, and he will not have a soft snap by any means. I sympathize with him, for I live where the Government pays to keep the water of the Mississippi from flooding our lands and destroying us, and we have to pay more than two dollars for every dollar of Uncle Sam for the same purpose. We are gradually getting protection and our lands are coming into the market—some 20,000,000 acres in the overflowed area—but no one dreads our competition, as all realize the slowness of our growth and the costly sacrifices we are forced to make for our lands. Our brethren in the irrigation area will have a similar burden at the outset, and their progress will be slow.

One very important consideration in this bill which does not apply to the railroad and swamp land grants is this: As public lands are sold in the arid region the proceeds thereof are to be used by Government officials to construct reservoirs for impounding the water in localities where it will do the most good, and the lands irrigated by each particular reservoir are to be charged with the cost of same. To illustrate let us assume that reservoir "A" costs \$500,000 and irrigates 100,000 acres. That will be \$5 per acre, and when the homesteader settles on this land he must pay for it \$5 per acre in addition to the usual fees under the homestead laws. If any of this 100,000 acres happens to belong to individuals when the reservoir is constructed, it will be charged \$5 per acre before any water can be used. This price is paid in ten annual payments of 50 cents per acre, so that it is not especially burdensome. Thus all expense of the reservoirs will be refunded to the Government, which will eventually receive back every dollar expended.

Mr. Chairman, from whatever point of view this bill is considered it is wise and just, in my opinion, and I sincerely hope it will pass. [Loud applause.]

Mr. STEPHENS of Texas. I offer the following amendment. The Clerk read as follows:

Amend by adding to end of line 5, section 8, page 9, the following: "Provided further, That Congress shall, for the purpose of equitable distribution, have the absolute jurisdiction and control of the previously unappropriated waters of the rivers and streams flowing past, through, or from any State or Territory of the United States into, through, or past any other State or Territory and necessary for the purposes of navigation or irrigation and to which waters others have rights by prior appropriation."

The CHAIRMAN. There are three committee amendments pending that will have to be disposed of before action upon this amendment can be taken. The question is on the adoption of the amendments of the committee.

Mr. STEPHENS of Texas. Is debate closed?

The CHAIRMAN. Debate is closed, by order of the committee, on this section; and the question is now on the committee amendments.

The question was taken, and the committee amendments were agreed to.

The CHAIRMAN. The question now is upon the amendment offered by the gentleman from Texas.

Mr. RODEY. On that I want to be heard.

Mr. STEPHENS of Texas. I ask unanimous consent—

Mr. SHAFROTH. Regular order!

The CHAIRMAN. Debate has been closed by order of the committee. The question is on the amendment offered by the gentleman from Texas.

Mr. STEPHENS of Texas. I ask unanimous consent to explain it.

Mr. SHAFROTH. Regular order!

Mr. RODEY. I ask every member to vote against that amendment. It is just an outrage upon New Mexico.

The question was taken, and the amendment was rejected.

The Clerk, proceeding with the reading of the bill, read as follows:

Insert a new section, to be known as section 9:

"SEC. 9. That it is hereby declared to be the duty of the Secretary of the Interior, in carrying out the provisions of this act, so far as the same may be practicable and subject to the existence of feasible irrigation projects, to expend the major portion of the funds arising from the sale of public lands within each State and Territory hereinbefore named for the benefit of arid and semiarid lands within the limits of such State or Territory: *Provided*, That the Secretary may temporarily use such portion of said funds for the benefit of arid or semiarid lands in any particular State or Territory hereinbefore named as he may deem advisable, but when so used the excess shall be restored to the fund as soon as practicable, to the end that ultimately, and in any event within each ten-year period after the passage of this act, the expenditures for the benefit of the said States and Territories shall be equalized according to the proportions and subject to the conditions as to practicability and feasibility aforesaid."

Mr. RAY of New York. Mr. Chairman, I do not suppose those who favor this bill will pay any attention to propositions to perfect or amend. If the bill goes through that seems to be all they want, regardless of consequences to follow. Allow me to call attention to section 8 in connection with section 9. What laws are to govern and apply in the execution of this bill? The laws of the State in which the water, in which the reservoirs, or in which the canals may be? Do gentlemen know of any two States in this Union that have like laws? We are to take water in California and store it there. That water is to be controlled by the laws of California. A canal from that reservoir is to run into the State of Nevada, and the State laws of the State of Nevada are to control the canal and water when it gets there. And so in some other State like Wyoming you store the waters in one State and the laws of that State control the waters while there. The water is carried into and through another State and the laws of that State control while it is there. The water runs into a third State, where it is to be distributed in irrigating the land, and the laws of that third State control the distribution, and yet gentlemen think that it will be practicable to put this bill into operation. It can not be done under this bill as it stands.

The United States Government surrenders all control. Congress surrenders all control. The laws of the several States are to control. I simply point this out to you, gentlemen, because when this law is written on the statute book it will be impossible of execution until amended and changed. Any lawyer who studies all of these peculiar provisions will be astounded at its impracticability and conflicting provisions.

I have no idea that these amendments to the Senate bill, which have been adopted by the House committee in order to avoid insuperable objections which have been presented, will be adopted by the Senate. The Senate will have a substitute. It will have something to put in the place of this, because I believe that it is now agreed, both by the majority of the Senate and the majority of the House, that in any event this robbery or looting of the Treasury of the United States must be authorized before this Congress adjourns. [Applause.]

Mr. SUTHERLAND and Mr. NEWLANDS rose.

The CHAIRMAN. The gentleman from Utah—

Mr. SHAFROTH. Mr. Chairman, I move that debate on this section and all amendments thereto be now closed.

Mr. PAYNE. Mr. Chairman, I make the point of order that the Chair had already recognized the gentleman from Nevada.

The CHAIRMAN. The Chair had already recognized the gentleman from Utah.

Mr. SHAFROTH. Will the gentleman from Utah make the motion?

Mr. SUTHERLAND. Mr. Chairman, I move that all debate on the pending section be closed in five minutes.

The CHAIRMAN. The gentleman from Utah moves that all debate on the section and the pending amendment be closed in five minutes.

Mr. STEELE. Mr. Chairman, this is a very important question, and I move to make it fifteen minutes.

The CHAIRMAN. The gentleman from Indiana moves to amend by making it fifteen minutes.

Mr. HEPBURN. Mr. Chairman, I move to amend by making it seconds.

Mr. SUTHERLAND. I accept the amendment offered by the gentleman from Iowa. [Laughter.]

The CHAIRMAN. The gentleman from Utah moves that debate on the pending section and amendments be closed in five minutes, and the gentleman from Iowa moves to amend by making it thirty seconds. The amendment is accepted by the gentleman from Utah, and the question is on the motion of the gentleman from Utah as amended.

The question was taken, and the motion as amended was agreed to.

Mr. SUTHERLAND. Now, Mr. Chairman, I will take advantage of the general leave to print. [Laughter and applause.]

The CHAIRMAN. The Clerk will read the next section. The Clerk read as follows:

SEC. 10. That the Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this act into full force and effect.

Mr. TONGUE. Mr. Chairman, has the House voted on the proposed amendment?

The CHAIRMAN. The committee has voted on all the committee amendments, and at the close of debate will vote upon the section which has just been read.

Mr. SHAFROTH. This is section 10, is it not?

The CHAIRMAN. The Chair is informed that what the Chair supposed was section 9 of the bill was really a committee amendment, and the vote will have to be taken on that first, so that the question is on agreeing to section 9.

Mr. RAY of New York. Mr. Chairman, I raise a point of order. We have passed that section and gone to section 10 without adopting the amendment, and section 10 has been read and is being debated, and I insist that it is now too late to go back and amend section 9 after we have passed to section 10, which has been read and an amendment proposed and debate has commenced upon it.

Mr. HOPKINS. Mr. Chairman, that objection is obviated from the fact that the Chair supposed, when it directed the Clerk to read section 10, that section 9 had been adopted. Of course the Chair has a right to correct his own error.

The CHAIRMAN. The Chair was under the impression that it was a regular section of the bill, and having been read, was adopted. The Chair is now informed that it was a committee amendment. The Chair does not think the gentleman from New York can take advantage of a wrong impression of the Chair as to the character of the provision.

Mr. RAY of New York. I beg the pardon of the Chair. I have the highest respect for the Chair, but it is no more a mistake of the Chair than it is a mistake of any member of the House or of the friends of this bill. I insist that members of the House— [Cries of "Regular order!" "Regular order!"]

The CHAIRMAN. The committee will be in order. This amendment is a committee amendment submitted by the committee, and the Chair thinks that it was his duty to put the amendment without attention being called to it. But under the impression that it was a part of the bill, and was agreed to when read, the chairman directed the Clerk to read section 10. The question now is on agreeing to the committee amendment.

Mr. RAY of New York. I rise to a parliamentary inquiry. My inquiry, Mr. Chairman, is, Does the Chair hold that it has the power now, under present conditions, without unanimous consent, to go back to section 9 (I believe that is the section) and put the proposed amendment to a vote? Does the Chair hold that?

The CHAIRMAN. The Chair holds that it having been passed by an error of the Chair, and under a misunderstanding or misapprehension, the committee can go back—can return to the amendment and vote upon it.

Mr. RAY of New York. Does the Chair hold that the committee can go back?

The CHAIRMAN. Can go back and vote upon it.

Mr. RAY of New York. Without unanimous consent?

The CHAIRMAN. Without unanimous consent.

Mr. RAY of New York. Well, I enter my protest.

Mr. HEPBURN. Mr. Chairman, the debate, I believe, was not closed on the ninth section?

The CHAIRMAN. The Chair will state that upon that paragraph debate was closed on motion of the gentleman from Utah as amended by the gentleman from Iowa.

Mr. HEPBURN. I believe that was the eighth section.

The CHAIRMAN. It was the ninth, as the Chair is informed by the Clerk. The question is on the amendment of the committee.

The amendment was agreed to.

Mr. COWHERD. Now, Mr. Chairman, have I the floor on section 10?

The CHAIRMAN. The gentleman from Missouri is recog-

nized, and, as the Chair understands, moves to strike out the last word.

Mr. COWHERD. Mr. Chairman, I feel in this matter very much like the gentleman from Indiana, that this bill is going to pass and that I want to get on record in regard to it before it does pass. But differing from him, I wish to be recorded in its favor; and it is so very seldom that we on this side of the House have an opportunity to speak in favor of a measure which passes that I do not want to lose this rare opportunity.

I have been very much interested in the pleading of the distinguished farmer from Ohio [Mr. GROSVENOR] and the distinguished farmer from New York [Mr. PAYNE] that we should not bring more land into competition with the lands of the farmers in their districts. Why, Mr. Chairman, how long has it been since the cry was made for the farmers up in New England that they would be ruined by competition with the rich agricultural lands of the West? Yet the New England farmer, having been brought into competition with the farmer of the West, promptly abandoned those rocky hillsides upon which you had to shoot the corn into the crevices with a Gatling gun and cultivate it with a diamond drill [laughter], and went into other business; and he has been lending money to the farmer of the West ever since. [Laughter and applause.] He went into the business of passing tariff bills and legislating for the New England farmer; and while in New England the hours of labor are limited to eight, and he needs only half that time to make a living, out West we have to work fourteen hours every day in order to get enough to eat and to pay our interest to the New England farmer who has been lending us money. [Laughter.]

These gentlemen need not be solicitous in regard to the farmers of their own country. I have no doubt that should the farming of their region prove unprofitable (which it will not) the distinguished farmer from New York can pass the bill of which he is the author and which is now pending before the committee of which the farmer from Ohio is chairman, which will take about \$180,000,000 out of the pockets of the people of this country for the benefit of an industry of the East. Yet these gentlemen rise and tell us what a heinous offense it is if the people of this country are taxed—and, mind you, the bill does not propose that—some four or five million dollars for the purpose of reclaiming 60,000,000 acres of land out West and benefiting untold millions of settlers.

Now, Mr. Chairman, I have no sympathy with the narrow views of those who hold that any part of this country can be greatly benefited without that benefit inuring to every acre of every State in the Union. We are not 45 warring principalities, with adverse interest, striving to build up this industry and to tear down that. But whenever you bring prosperity—how many times have those gentlemen on the other side of the Chamber hammered this doctrine into us—whenever you bring prosperity to any section of the country you bring it to every other section. You can not produce a tree full of blushing peaches yonder in Wyoming or plant with pineapples an acre of the everglades of Florida but that the farmers and merchants of my section will both divide the fruit and divide the prosperity. But, Mr. Chairman, I stand here, not to represent the interests particularly of the semiarid and the arid States. However great may be our affection for those people, I am for this bill because it is for the advantage of the people I represent on this floor. Out there in Missouri and in those lands that the gentleman from Iowa represents—and I was surprised to hear him opposing the measure—out there we have the most fertile soil that lies under God's shining sun.

But we suffer from two extremes—first, flood, and second, drought. Last year we had a drought which careful men estimated cost the farmers in the Middle West more in three months than they lost during all of the four years of the devastating civil war. We have every spring a flood that takes away thousands upon thousands of acres of land—and the gentleman from Nebraska [Mr. BURKETT] has told us of it in this Chamber more eloquently than I could ever hope to tell—that goes rushing down the valley of the Missouri, destroying the farms and the crops and pouring its silt and its flood into the Mississippi and carrying the besom of destruction clear to the Gulf. Store these waters at the fountain source, store them in the mountains, distribute them over those arid and semiarid lands, and what will be the result? In the first place, you will stop the floods; in the next place, as they are distributed through these lands that now lie there glistening in the sun, gathering up the sun's rays, heating the air so that the passing breeze becomes a simoon sweeping on to our destruction—water these lands and instead of the simoon of the desert, burning and blistering our crops, there will come the healing and the healthful winds, bringing with them the bountiful rains. [Applause.] I am in favor of this bill, both for the benefit of the arid lands and for my own State. It only means that the Government shall use the money it derives from the sale of these lands to make salable lands now worthless, to make fertile lands now sterile, and to give homes to people now homeless.



Mr. SUTHERLAND. Mr. Chairman, it is safe to say that in its final results no bill of a public nature has come or is likely to come before the present Congress which is more important than the irrigation bill now under consideration. It proposes the expenditure in the aggregate of a large sum of money, and it proposes ultimately and in the aggregate the addition of a large body of land to the cultivatable area of the United States, but the expenditure of the money does not contemplate any attack upon the general Treasury; the reclamation of the land does not contemplate any sudden or violent addition to the farms of the country.

#### WHAT THE BILL PROPOSES.

We propose to take the money derived from the sale of the public lands in the sixteen arid-land States and Territories and create a fund to be used for the purpose of rendering this land useful and habitable. In these sixteen States and Territories there are 600,000,000 acres of public lands. After fifty years of effort upon the part of the people there has been cultivated and irrigated only about 7,500,000 acres. The smaller streams have been appropriated and diverted to the last drop. Private enterprise has constructed many canals from the larger streams and many reservoirs for the impounding of the flood waters. The time has arrived, however, when practically nothing more can be done in the direction of an increase of the water supply and the consequent increase in the area of cultivated lands without the aid of the National Government.

#### WORK OF THE WESTERN PIONEER.

The public lands in this country available for agricultural purposes are being rapidly exhausted. The limit of new settlement has been nearly reached. The Western pioneer, that picturesque and splendid figure of the forties, the fifties, the sixties, the seventies, and the eighties, is already of the past, because there are no new worlds for his restless feet. The tide of immigration which more than a generation ago swept beyond the Missouri up the colossal heights and down the somber canyons of the Rockies, across the sage-brush plains of the Great Salt Lake Basin, over the Sierras to the perpetual summer of the Pacific coast, met the Western ocean and was rolled back to the Missouri again, filling in its ebb and flow every nook and cranny of that great rainless empire where water could be found to redeem the desert.

The pioneer was splendidly independent. He asked help of none. He lobbied for no appropriation. He found himself face to face with the problem of creating a home from the raw elements about him. He threw down the gauge of battle to the forces of nature. He made his attack with the courage of creative genius. He asked no questions; sought no truce. He toiled under the pitiless sun from the beginning of spring to the middle of autumn. His back was bent and his hands were seamed and calloused with the labor of the conflict.

With his few imperfect tools he buikled dams, excavated canals, constructed ditches, plowed and cultivated the soil. He transformed the mountain valleys—dry and desolate—into green fields and leafy orchards. In the beginning his eye beheld nothing but the monotonous and unsmiling gray of the sage brush. The soil was parched and barren. He tickled it with the plow and gave it the stream to drink, and made it laugh in golden ripples to the autumn breezes.

It is a marvel that, unaided, he did so much. It would be a miracle if, unaided, he had done more.

#### THE MORMON PIONEERS THE ORIGINAL IRRIGATORS.

The first irrigators upon American soil were the Mormon pioneers of 1847. After a toilsome march, lasting many weeks, across the Great Plains, on July 24 of that year they entered the valley of the Salt Lake. What is to-day, in my judgment, the most beautiful valley in all the world was then a barren, unproductive desert. Not a green thing was to be seen save the sparse growth of willows and cottonwoods which fringed the banks of the streams.

The Mormon people, with that courage and persistence and industry which has always characterized them, entered upon what appeared to be a hopeless task. In the early years their struggles were pathetic. Time and again the task to which they had set themselves appeared to be hopeless, but with grim determination they struggled on. Their reward finally came.

The visitor of to-day beholds the valley transformed and glorified by irrigation. About the beautiful city, with its wide streets, its running, limpid streams, its flower gardens, its orchards, its splendid and imposing temple, its shimmering spires, splendid institutions of learning, its business houses, commodious and comfortable homes, and everything which goes to make up the modern city, lie rich lands in checkerboards of varying shades of green. It is a living argument in favor of this bill, a magnificent illustration of what may be done when idle water is united with idle land. The story of the conquest of Utah is so simply and yet so graphically told by one of the pioneers of 1847, Hon. George Q. Cannon, formerly delegate in this House from the

Territory of Utah, in his remarks before the National Irrigation Congress at Denver in September, 1894, that I can not forbear quoting them and preserving them in the records of this debate. He says:

Forty-seven years ago I crossed the plains in company with companions who were then seeking homes in the far West. I did not occupy so prominent a position in the community as has been represented, because I was but a youth 20 years old, but I was then, as I am now, deeply interested in the future of this Western country. I felt that there was a great future for it, and then to me, as with all those who traveled at that time, it was so different to all the old conditions under which we lived that it seemed like a new world. We entered Salt Lake Valley, that is, I and the party I accompanied, about eight weeks after the pioneers, headed by Brigham Young, had entered the valley. That band consisted of 143 men and 8 women. We followed them, and traveled with women and children in considerable number, there being some 2,000 all told in the different companies.

#### THE LUXURY OF POTATOES.

The pioneers had already planted a few seeds and made some attempt at irrigation, but as they landed the latter part of July (the 24th it was), it was very difficult to do anything except to preserve the seed. That seed was very carefully cared for and husbanded, and from that seed the seed potatoes (that was the first vegetable introduced into Utah) sprang. But it was not until 1849 that any of us, unless it was through curiosity, tasted potatoes. We preserved the seed so carefully that we did not dare to eat potatoes. In 1848, after planting our grains and vegetables, we found that to obtain the food we needed we could not depend upon rains, but would have to water the land from the streams, and as we did not have the scientific friends that we have with us now to do it in a scientific manner, we went at it as best we could, and took out water by the simplest means in our reach, and we were successful in raising at least a part of a crop. After our grain had been sown and our fields looked promising, black crickets came down by the millions and devoured our crops. I have seen fields of wheat look as promising as they could in the morning, and by evening they would be as bare as the palm of a man's hand—devoured by these crickets.

For a time it seemed that everything we had planted would be destroyed, and you can well imagine the precariousness of our position. California was on our west 800 miles distant; to the east was no settlement nearer than the Des Moines River in Iowa, and a few settlements perhaps in upper Missouri, so that we were entirely dependent upon that food which we had brought in our wagons. That supply was so limited that we had to deal it out with the utmost care. Food was weighed by the ounce and limited to every individual, and no one could eat more than his share of the allowance that was divided for the week's supply.

I was a growing boy, and I had never worked so hard as we had to do then. My allowance of food, therefore, was not sufficient for my wants and I was continually hungry during that winter. It seemed to me that I was hungry to the ends of toes and fingers.

#### THISTLE TOPS AS FOOD.

When spring came the thistles began to grow in the neighborhood of our fields. Our oxen were thin, and we could only use them in plowing until about the middle of the afternoon. Then we would go around and gather thistle tops for greens. It is a fact that the distention of the stomach caused by eating these thistles allayed our hunger, and having milk, which our cows began to give freely, we soon grew fat.

The crickets, to which I have alluded, destroyed a great many fields, and it seemed for a while that they would devour everything that was planted. I had no responsibility upon me, but I have often since thought of the wonderful courage which the men who had families depending upon them exhibited under these circumstances. I can recall no expressions of fear or discouragement. Every man appeared to feel that he would stay there, no matter what the consequences might be. But relief came to us, and to us who lived in Utah at that time it appeared like a direct interposition of Providence to save us.

Sea gulls came by hundreds and thousands, and before the crops were entirely destroyed these gulls devoured the insects so that our fields were entirely freed from them. Since then, whenever I see a boy pointing a gun at a gull I feel that I want to knock his gun up. The bird has become sacred to me. Since then Salt Lake has become the habitat of this bird. After these gulls came, I have gone along our water ditches in the morning and have seen quantities of small piles of crickets which the gulls had eaten and vomited up. By disgorging themselves in this way each bird must have devoured immense quantities.

The dryness of the country at that time was something dreadful. It seemed as though the land was dead. This was forcibly brought to my mind by seeing a grave dug soon after we reached the valley. The spot is now one of the most populous parts of Salt Lake City, and is very fertile, but at that time it seemed as though the ground had not been saturated for ages. One of the first ditches that was dug was taken out of the creek near where the large cooperative store now stands, which some of you ladies and gentlemen who have visited Salt Lake may remember. This ditch was dug to convey the water to the fort, in which the people then lived, which was about half a mile distant, and the ground was so thirsty that it took two days for it to run that distance.

#### THE UTAH OF TO-DAY.

Great and happy results have followed the system of irrigation. I can say to-day that Utah is proud to have the opportunity of participating in a congress of this character. We feel that the questions to be brought before this congress are of the greatest importance, not only to this portion of America but to the entire Union. Every man in this entire Republic ought to be interested in the questions which will be discussed. I hope, so freely and profitably in our congress. It is a matter which affects not only the West, but the East, and in fact it may be said to affect humanity, and everything should be done in our deliberations to reach united action, so that whatever we determine upon will be acceptable to the whole people and to the Congress of the United States.

I am glad that these deliberations are likely to take a wide scope. I would like to see every person take an interest in irrigation, whether he lives in the arid regions or the heaven-watered regions, and I hope every delegate will have the opportunity to express himself with the utmost freedom, that we may reach not only unity of sentiment, but unity of action.

We in Utah have proved that the small holdings are the best for the people. Our pioneers when they went into that country arranged in the first place that men at the head of a household should receive a city lot. The city was divided into blocks of 10 acres, containing 8 lots of 1¼ acres each. I remember applying for a lot, and was told that I was not a married man and could not have the land. Outside the city the first lots were 5-acre lots, later 10-acre lots, and later 20-acre lots. Mechanics were each expected to draw at least 5 acres, and if their families were large enough they could draw 10 acres. It was not a law, but a regulation. These regulations were adopted so that no man should monopolize land. Every man in the community could have a

sufficient quantity to enable him to raise what he wanted, but could have no land for speculation.

The people of Utah have been in dread of a tax for water. They do not think it is necessary. We have proved that water can be taken out and be used by the poor man without being taxed for it when the people are united and make a proper combination of effort. We have proved this, and also that large tracts of land are not necessary for the public good.

What has been done in the valleys of Utah may be done elsewhere, and the question is presented to the broad-minded men of this country whether the great sage-brush plains of the arid region shall be permitted to remain waste and unproductive, whether the great rivers and flood waters shall continue to flow idly to the sea, or whether we shall unite them and make homes for the people. That the consummation which we seek is one devoutly to be wished no one will deny.

#### OBJECTIONS ANSWERED.

No one will for an instant contend that to add to the wealth-producing area of this country millions of acres of productive lands is an unwise thing to do. The contention arises over the proposition to have this work undertaken by the National Government.

As proposed by the bill under consideration, however, there should be on the part of any reasonable person no objection to this. This bill does not propose to take a single dollar from the Treasury. It does not impose a dollar of taxation upon a single citizen. It simply devotes these at present valueless and barren lands to their own redemption. I shall not take up the time of the House to enter upon a discussion of the details of the bill. I shall content myself with making a brief reply to some of the objections which have been urged against it. These objections in the main are to be found embodied in the minority report made by the gentleman from New York [Mr. RAY] and in his speech of yesterday.

#### NO CORRUPTION OR WASTE PROBABLE.

One objection urged is that it attempts to vest in the Secretary of the Interior large and dangerous powers and places in his hands for distribution immense sums of money, and it is feared that this will result in wholesale corruption, misapplication, and waste of money.

The millions of dollars which are appropriated every year by the Congress of the United States for the improvement of rivers and harbors, for public buildings, and for other purposes must of necessity be expended under the direction of officers of the United States. I will undertake to say that in the main they are expended with the utmost honesty, care, and discretion. Among the high officers of this Government—the President and his immediate advisers, the members of the Cabinet—no matter what party has been in power in the United States, we have had, thank God, none but patriotic and honest men. I am not afraid to trust any man who is worthy to be called to fill the high office of Secretary of the Interior to honestly expend this money. It may be true that there will be occasional unwise expenditures of money, just as it is true that there is every year unwise and needless expenditure of money under the appropriation for the improvement of rivers and harbors, but in the main the money will be spent wisely. In the aggregate and in the long run it will be spent in such a way as to bring about the best results. We should not permit ourselves to be diverted from doing a wise and great work like this by the fear that occasional mistakes will be made.

#### NOT A RAILROAD, BUT A HOME-MAKING SCHEME.

Another objection that is made is that this is a railroad scheme to enable the land-grant railroads to have their lands benefited by irrigation works, at public expense, and then sell them at enormous prices. Such a claim is absurd on its face. The bill expressly provides that the public lands which may be irrigated by the works to be constructed are subject to entry only under the homestead laws of the United States, in tracts not exceeding 160 acres. It also forbids any person to acquire a right to irrigate more than this quantity of land, and requires actual residence upon the land. The railroad lands are not held in vast bodies, but are in alternate sections, and it is not to be expected that settlers who may procure public lands free of charge will pay extravagant prices for railroad lands immediately adjoining them.

In any event this bill is essentially a home-building and home-making proposition. It effectually excludes everything in the nature of a land monopoly, and it is an exceedingly narrow criticism of such a measure that while doing a work so beneficial that we shall incidentally enable somebody to make some money. Such a view would sweep from our statute books every protective law which we have, because, while protection elevates and dignifies the masses of the people, it also enables great corporations to prosper as well.

#### POWER OF EMINENT DOMAIN CONSTITUTIONAL.

It is also objected that the bill confers upon the Secretary of the Interior the authority to condemn lands and water rights, and it is said that the General Government has not the constitutional

power to exercise the right of eminent domain for such purposes, and that if it had, its exercise would result in taking from private owners water rights which they already have and depriving individual States of the opportunity to irrigate their own unproductive lands.

Now, it is first to be observed that the bill does not attempt to confer the right to condemn other water rights. Its language is that where—

In carrying out the provisions of this act it becomes necessary to acquire any rights or property the Secretary is authorized to acquire the same by purchase or condemnation.

No lawyer would contend that under this bill the vested rights of an individual to water could be taken for the purpose of giving it to some other individual or individuals. The bill does not intend anything of the sort. The Secretary must proceed in the condemnation proceedings under the laws of the State.

No State recognizes the right of condemnation of the vested rights of an individual in water for the use of other individuals. The rights and property which are permitted to be condemned are rights of way for the construction of canals, and lands for the building of reservoirs. In other words, what is contemplated is the condemnation of the means by which the storage and distribution of surplus waters may be effected, and not the condemnation of an accrued water right. That this is true is so apparent from the mere reading of the bill that any extended discussion of it, in my judgment, would be a waste of time.

But it is said that the Federal Government has no power to exercise the right of eminent domain for such purposes. Elsewhere in the minority report it is contended that the Federal Government has no constitutional power to expend money for the purpose of reclaiming its lands at all, but it is admitted that if such power exists, then the power of eminent domain necessarily follows. I shall undertake to show a little later on that the general constitutional power does exist, which, according to the admission of the minority report, will demonstrate the existence as a necessary corollary of the right to condemn.

But the General Government may exercise this power by reason of its proprietorship of the lands. Being the proprietor and owner of a vast amount of land in the various States, it has the right under the laws of those States to do whatever any other proprietor might do. Every one of these arid-land States, by express statute and often by provision of its constitution, declares that the irrigation of lands is a public use, and that the right of eminent domain may be exercised therefor.

Take, as illustrative, my own State of Utah. In the first State legislature of 1896 a law was passed which I had the honor of introducing, which declares in so many words that the cultivation and irrigation of the soil is a pursuit in which all are interested, and from which all derive a benefit; and the irrigation of land is declared to be for the public use, and the right of eminent domain may be exercised in behalf thereof.

Under well-settled rules what may be a public use in one State may not be in another. The extent and importance of the industry is to be considered. It was held in Nevada in an early case, where the subject is treated with great learning, that the mining industry being the paramount industry of the State, upon which the body of the people directly and indirectly in great measure depended, the condemnation of lands for mining purposes was a public use. These statutes in the various arid-land States have been upheld as valid wherever they have come before the courts. Under them the right of eminent domain may be exercised by the citizen for the condemnation of rights of way for canals, ditches, and reservoirs. Indeed, in the absence of all statutes it may be very well argued that the right would exist.

The old doctrine of riparian rights, one of the fixed rules of the common law, has no application to the arid region. It has been abolished by express statute in many States, but it is held in other States to be as effectually abolished in the absence of statute. Such a rule can have no application to the arid region where the diversion of water from the streams, even to the last drop, is of imperious and overwhelming necessity, and so it was early held that the reason upon which the doctrine of riparian rights was founded having ceased, the rule itself ceased with it.

In view of this necessity for the diversion of water, it may be well insisted that the right to convey water across the lands of another exists in the absence of statute. As was well said by the supreme court of Colorado in the case of *Schilling v. Rominger* (4 Colo., 100):

Primarily, where the climatic conditions are such as exist in Colorado, the right to convey water for irrigating purposes over land owned by another is founded upon the imperious laws of nature, with reference to which it must be presumed the Government parts with its title. And although a patent may be silent in regard to conditions which, if expressly named, could have no greater force, it can not be asserted that therefore they do not exist. Subject to regulation by statute and resting upon the law of nature, it is conceived that the right to convey water over another's land is inseparable from the enjoyment of the land which the United States conveys to its grantees. This right passes with the land as a necessary incident.



But even if it were true that the Federal Government has no authority to exercise the power of eminent domain, that affords no reason for voting against this bill. If the court should determine that that particular provision of the bill is inoperative and if it were necessary in some particular enterprise to make use of private property, and the Government could not acquire the title by purchase, then it would simply result in the failure of that enterprise. Everybody knows that substantially all the unappropriated waters rise in the mountains upon public lands. The reservoirs which are to be constructed for the purpose of impounding the surplus waters will be constructed upon the public domain, so the main canals which it may be necessary to construct will almost always be on the public domain. It will rarely become necessary to make use of private property in connection with these works.

I have, speaking for myself, no doubt whatever as to the validity of this provision in the bill, but if it should turn out that this view is a mistaken one, the effect upon the general scheme is of so little consequence that it is scarcely worthy of consideration.

#### DOES NOT AFFECT VESTED RIGHTS.

It is further objected that the power of the Secretary is not limited to the retention of surplus waters. I have already undertaken to show that it is. When a citizen has made an appropriation of water for a beneficial use, it becomes his property as fully and completely as the land which he holds by patent from the United States. This bill does not attempt to confer upon the Secretary of the Interior the power to deprive him of his vested rights. It would be absolutely void and worthless if it did.

#### NO CONFLICT BETWEEN NATIONAL AND LOCAL CONTROL.

But it is said that the bill contains conflicting provisions; that it contemplates a divided control; that as soon as a major portion of the lands to be irrigated under any particular enterprise has been paid for, the control, the management, and operation of the irrigation works shall pass to the owners of the lands, but that the title to and the management and operation of the reservoirs and works necessary for their protection shall remain in the Government. The two provisions are absolutely distinct and are absolutely consistent.

The title and control of the reservoirs themselves and the works incident to their maintenance, namely, the dam and headgates, remain in the General Government precisely the same as the ownership of a navigable lake or a river remains in the public, but the canals and the lateral ditches by which the water is diverted and applied to the land are under the control, ownership, and management of the users of the water just as the canals and ditches taken from a public lake or public river would be under their control, and no more confusion can result in the one case than has actually resulted in the other.

But it is said, further, that the laws of the State or Territory relating to the control, appropriation, and use of the water are not to be interfered with, and this will result in still further confusion. The confusion is in the mind of the objector and not in the bill. No more confusion will result from the use of these waters under the local laws and regulations of the State than have resulted by the use of other waters or property.

The fact that the title to a lake is in the public, the title and ownership and control of the canals leading from it is in the proprietors of the water, and that the appropriation and use of the water is under the State law has never resulted in any sort of confusion. On the contrary, if the appropriation and use were not under the provisions of the State law the utmost confusion would prevail. The full domination and complete ownership of a tract of land is in no manner injuriously affected, because its title must be acquired and disposed of and it must be occupied and held under and in accordance with the law of the State.

#### COMPETITION WITH EASTERN FARMERS.

The most unworthy objection that is urged to this bill is that it will bring more lands under cultivation in the West which will come into competition with the farmers of the East. It is the old appeal to selfishness in a new form. It is the old song of the mossback set to new music. It is the same old narrow cry based upon the same old narrow reasons that made the illiterate freighter of the "forties" object to the railroad and the locomotive for fear of the competition with his mules and horses, and that caused the sailmaker to look upon Robert Fulton as a public enemy. The objection, in the exact language of the minority report, is as follows:

If we add millions of acres of productive land to our national possessions we shall surely diminish the value of the present farming lands throughout the Union, and we shall open new areas in the Far West to compete in production with the farmers in the South, East, and Middle West. The people in these sections will not consent, and ought not to consent, to pay from the public Treasury for the construction of such public works, which, even if successful, will work injury to their interests.

Such an objection is particularly unworthy upon the lips of a Republican who has been taught that the unceasing development of all our resources is the very gospel of his party. No man need fear the effect of developing the natural resources of this country.

I commend to the minority of the Irrigation Committee that famous quotation from English literature, the words of Dean Swift:

And he gave as his opinion that whoever could make two ears of corn or two blades of grass to grow upon a spot of ground where only one grew before would deserve better of mankind and do more essential service to his country than the whole race of politicians put together.

If he who makes two blades of grass to grow where there was only one before is better than a politician, surely the nation which causes two fruitful farms to flourish in the desert where before there was only one is entitled to our highest praise. There is an old and homely proverb of the poor, based upon the simple faith of humble folk, that God never sends mouths into this world without food to fill them. My own observation is that the converse of that proposition is more nearly accurate—that God never sends food into this world without mouths to consume it. So long as children in the great tenement districts of our great cities continue to go in tears to supperless beds; so long as the gaunt figure of famine continues to affright the millions of India and Russia, there is no fear of any excessive production of food stuffs in this country. Reduced to its last analysis, it is not only a selfish but a shameless argument.

But aside from the selfishness and narrowness of the argument there is absolutely nothing in it. When the facts are understood it will be seen that the lands can not be brought under cultivation so rapidly or in such bodies as to constitute the slightest menace to the Eastern farmer.

The arid West has an area greater in extent than that of the original thirteen States, but its physical characteristics are such that under the most favorable conditions not a tithe of the lands can ever be brought under cultivation. My own judgment is that it is an extravagant estimate to say that more than 60,000,000 acres can ever be supplied with water, and this can be done only in the course of more than half a century.

It is estimated that the income from the sale of public lands will be about \$2,000,000 per annum. The labor of constructing these storage reservoirs and the works incident thereto is necessarily one which will occupy many years. The sites are to be surveyed, selected, designated, plans are to be drawn, and after that the works themselves constructed. With a comparatively small amount in the hands of the Secretary of the Interior at any one time, there can, of course, not be many of these enterprises under construction at the same time. After the works are constructed, the lands themselves are to be taken up and to be prepared for tillage. All this consumes time, and much time.

It is perfectly safe to say that, under the most favorable conditions imaginable, after the work shall be begun these lands can not be brought under cultivation in a greater quantity than one-half a million acres per annum. There is no menace in this to the farmers of the East. This quantity of land will only partially take the place of the vastly larger quantity that has been added to the cultivatable area by the location upon lands in the humid region and upon available lands in the arid region in the past.

The settlement of this class of lands is now almost at an end. The lands to be taken up under the provisions of this bill will not begin to equal in quantity that which has been taken up heretofore under the public land laws. The farming in the arid region is necessarily of an intensive character. It does not pay the agriculturist of Utah to own vast areas of lands which he is compelled to irrigate foot by foot. He must of necessity cultivate small farms and make the very most possible out of his crops. He therefore cultivates the sugar beet and other crops which can be utilized in his immediate vicinity.

He is at a great distance from the general market and can not compete with the Eastern farmer, first, on account of the freights, and, second, because he can not raise his crop so cheaply. One of the great crops of the arid region is to-day and will continue to be alfalfa, which supplements the range grasses for cattle feed. This is a crop which does not in the slightest degree come into competition with the Eastern farmer.

I do not think even the farmers of the East object to an increase in our beef cattle. Certainly the market for this product which we have to-day would be better for a considerable addition. The more cattle we raise in the West the less trouble you will have with the beef trust in the East.

#### THE BILL IS CONSTITUTIONAL.

Another objection which is urged to the bill is that it is unconstitutional. This objection is strenuously insisted upon by the distinguished gentleman from New York [Mr. RAY], chairman of the Committee on the Judiciary. If such an objection came from the mouth of a less able man it would not be worthy of a moment's notice. When other reasons fail—when other arguments are seen to be weak—the Constitution is appealed to. It is the dernier ressort of the legislator who thinks he is opposed to a measure, but who does not exactly know why. The objector paraphrases the rule laid down by Hoyle, "When in doubt, play the Constitution."

The minority report insists that under the Constitution Congress is given the power to dispose of and to make all needful

rules and regulations for the territory and other property of the United States. It is said that this is the limit of our power. We may dispose of the lands, but we may not improve them. Our friends have gone back to the days of Jefferson and Calhoun for their political arguments. Jackson himself never insisted upon a more narrow construction of the Constitution. We of this day and generation have been taught that it is not necessary that the Constitution should confer in express and precise terms the authority for doing a particular act. We understand that there are implied powers in the Constitution. A general grant of authority having been made, the means by which it is to be carried out are left to the judgment of Congress.

#### CONSTITUTION TO BE BROADLY CONSTRUED.

The Constitution was not made for the farmers, the fishermen, and the hunters of the thirteen original States alone. It was never intended to chain the hands of future generations of millions of restless workers in the manifold pursuits of forty-five, soon to be forty-eight, sovereign States by the strict and literal interpretation of its general language. The fathers gave us the Constitution written in broad and comprehensive terms. They pointed out to us the ultimate results which we were permitted to accomplish, but they left to the future Congresses the power to determine by what means these results should be brought about.

So long as those means are not prohibited by the express language of the Constitution and are, in the judgment of Congress, reasonably adapted to the accomplishment of the results which are permitted, they are constitutional, and are so recognized by all sound constitutional lawyers. In other words, the Constitution declares *what* we may do, but not *how* we shall do it. The framers of that instrument drew upon the canvas certain broad, general lines, leaving it to the lawmakers of the future to fill in the details of the picture. The Constitution gives Congress the authority to regulate foreign and interstate commerce. This is the ultimate thing which we are permitted to do. How we shall do it, when we shall do it, is left to the wisdom of Congress.

We appropriate vast sums of money for the improvement of the Mississippi River; we build great locks in the Sault Ste. Marie; we dredge the harbors at New York and Boston, all under this general grant of power to regulate commerce. We go further than this. We have improved rivers and streams where it is the merest pretense to say that any useful purpose of navigation was subserved. It simply furnished water for the operation of flour mills somewhere or protected lands from overflow. Under the general grant of power to dispose of and make all needful rules and regulations for the territory and other property of the United States, in my judgment we have the authority to put these lands in a condition to be disposed of.

In the public lands of the United States, as it has been many times decided, the Federal Government is both a sovereign and a proprietor. In its sovereign capacity it may protect the lands and punish trespassers by imprisonment. As a proprietor it may sell, withhold from sale, or give away the lands. It is the owner and proprietor of these lands, but being also a sovereign, it is its duty as proprietor to deal with them in the highest and best way for the benefit of the people. If the lands are barren, unproductive, useless, so that they can not be made of benefit to the people, can not be disposed of without improvement but may be made valuable and a vast benefit to the entire people by improvement, is it possible that this sovereign power by the strict letter of the Constitution is bound to condemn this vast domain to perpetual aridity?

#### UNDER STRICT CONSTRUCTION BILL IS CONSTITUTIONAL.

But, in my judgment, it is not necessary to antagonize the position that our authority is limited strictly to a disposition of these lands. What we propose by this bill is to dispose of the lands. It will not be disputed—it has been repeatedly determined, not only by the courts but by the uniform practice of the legislative department—that the power of Congress to dispose of the public lands is plenary. We may give them away upon certain conditions to individuals, as in the homestead laws.

We may give them to private corporations under certain conditions, as in the Pacific railroad grants. We may cede them to the States with or without conditions, as in the various enabling acts by which the territories were admitted into the Union. We have a right to grant the public lands within any State directly to the State, upon condition that the proceeds shall be used for the maintenance of common schools. We have done so repeatedly. We have the power to grant every foot of the public lands in these thirteen arid States to those States respectively, upon condition that the proceeds arising from their sale shall be devoted to the building and maintenance of irrigation works. Thus far there can be no question. No one will dispute it.

If we can thus dispose of the lands directly for irrigation purposes, upon what theory can it be contended that we may not first convert the lands into money and dispose of the money directly arising from their sale for the same purpose? But to insist that we may dispose of a thing directly but may not convert that

thing into something else and then dispose of that something else is the cheapest and most idle sort of quibbling. If I empower my friend to dispose of a horse—to sell, to give away, to hire it—in short, to do with it what he likes, and he chooses first, to convert the horse into money and then dispose of the money, is he not strictly within my grant of power?

The plain statement of some propositions are their own best refutation, and this, in my judgment, is one of them, and I shall not discuss it further.

#### NEW ENGLAND OBJECTIONS.

Mr. Chairman, the objections which are urged to the passage of this bill in the House are duplicated outside. A few years ago in that center of culture and refinement and correct pronunciation, but of occasional general misinformation, the city of Boston, some learned professor insisted that if the irrigated area of the West received any considerable addition it would result in increasing the severity of the winters in New England. His idea seemed to be that the result upon the climate would be about equivalent to moving New England up to Labrador.

Last summer, when this subject was again being discussed by the country, another gentleman, probably also a professor, took the position that the intense heat which prevailed throughout the New England States was occasioned by the irrigation in the arid region. He demonstrated it by learned and labored arguments.

We are therefore blamed for the extreme of winter cold and summer heat as well. We are the modern giant killer, who warms his fingers and cools his porridge with the same breath. We bring about exactly contrary results by the same means.

These are samples, though they may not be very fair samples, of the reasons that have been urged against the further extension of the irrigated area.

#### THE BILL IN HARMONY WITH REPUBLICAN PRINCIPLES.

Mr. Chairman, I can not believe that any considerable opposition will be made to this bill upon the Republican side of this Chamber. The party which gave us the homestead law, under which millions of comfortable homes have been established upon the public domain, will not halt when the opportunity is presented of duplicating that splendid achievement. Some gentlemen say that sometime we should pass some such law as this, but that we should not pass it now. I beg them to remember that "he gives twice who gives quickly." The work which is to be done under this bill is not the work of a year or of ten years, but of half a century. If it is to be done *sometime*, it should be *begun now*.

The Republican party has presented to it by this bill an opportunity which comes to it at rare intervals—to lay the foundation for another monument to its genius and foresight. Surely it has not lost the ability to look into the future and see how splendid a monument it will be. The millions of people who shall inhabit that region in years to come will not fail to remember with gratitude the party whose generous action made it possible for them to do so.

We have written in our platform a distinct pledge to pass legislation of this character, and the Republican party has always gone with the unerring flight of a rifle bullet from promise to performance. Year after year and decade after decade it has gone steadily on with scarcely an interruption from achievement to achievement. It has written across the South, "Restored and reunited." It has made the Atlantic seacoast musical with the hum of machinery. It has filled Pennsylvania, Ohio, and West Virginia with the smoke and flame of industry and the rumble of rolling cars. It has spread upon the Great Lakes of the North a commerce mightier than that which plows the seas. It has given the Middle West a home market for its products, the greatest and the surest and the richest the world has ever seen. Only the great Arid West remains to be cared for.

For more than half a century she has stood there among her lofty peaks and her vast solitudes slowly, painfully, but patiently working out her own destiny, pouring into the lap of the East the mighty stream of her gold and silver to fructify and keep alive the fields of commerce and labor and industry. It is, after all, a little thing which she is asking now. Only that she may be permitted to use her own resources for her own redemption.

I appeal to you, my colleagues of the majority, to give it to her, not grudgingly, not reluctantly, not with doubt and suspicion, but with open hand, generously and unreservedly, as becomes a great party, and let us write across the face of the desert, "Increase and multiply." [Applause.]

Mr. SHAFROTH. Mr. Chairman, I move that debate on this section and all amendments thereto be closed in five minutes.

The CHAIRMAN. The gentleman from Colorado moves that debate on the pending section and amendments thereto close in five minutes.

Mr. HOPKINS. Mr. Chairman, I move to amend that by making it thirty seconds.

The CHAIRMAN. The gentleman from Illinois moves to



amend by making it thirty seconds. The question is on the amendment of the gentleman from Illinois.

The question was taken, and the amendment agreed to.

The CHAIRMAN. The question now is on the motion of the gentleman from Colorado as amended by the amendment of the gentleman from Illinois.

The question was taken, and the motion agreed to.

Mr. SHAFROTH. Mr. Chairman, the bill under consideration provides that the proceeds arising from the sale of public lands in the arid-land States and Territories shall be used by the Secretary of the Interior as a fund for the purpose of constructing reservoirs and irrigation works for the reclamation of the public arid lands.

It further provides that after the construction of such irrigation works the cost thereof shall be divided among the acres to be irrigated, and before title can be obtained for the land from the Government the proportionate cost must be paid in ten annual installments.

It further provides that the homestead laws shall be applicable to all of the lands to be irrigated, provided the settler pays the proportionate cost of construction of the irrigation works.

The reclamation of the arid lands of the West has been agitated for many years, and has at last culminated in the provisions of the pending bill. I wish to discuss the question involved therein, first, as to the necessity for action of this character; second, as to why the National Government should act; and, third, the result of such action.

#### I. NECESSITY FOR ACTION.

The homestead laws of the United States were framed to apply to those lands which receive sufficient precipitation of water to raise ordinary crops. They did not contemplate settlement upon arid lands, although they could be and were made applicable to arid lands in the early history of the West. The homesteader could then locate upon 160 acres lying contiguous to a stream and by constructing an irrigating ditch from the stream a short distance above conduct water for irrigation to his land, but all such lands have now been settled, and the only lands open to the homesteader are far removed from the streams and so situated that it would take many miles of ditching to tap the streams sufficiently high to bring water to the lands. The cost of getting water to such lands is more than a hundred times the value of the land, and hence beyond the possibility of the ordinary settler.

The natural flow of water in the streams in the arid West has already been appropriated, and hence there is left only the storm and winter waters, which can be stored in reservoirs and when needed in summer used for irrigation purposes. Inasmuch as the flood and winter waters, which now go to waste, constitute about four-fifths of the entire flow in the streams, it can readily be seen that their storage and utilization could reclaim about four times the area which is now under irrigation in the arid region. As nothing but disaster can come to the man who locates a homestead upon the arid lands beyond the limits of irrigation, and as the cost of bringing water to such lands is far beyond his or the combined means of settlers without capital, it can readily be seen that the limit of development in agriculture has about been reached in the arid region unless some such measure as this is enacted into law.

The necessity for such action is apparent also from the fact that many Americans are now moving to British Columbia for the purpose of taking advantage of the cheap public lands of that province open to settlement. It has been estimated by a reliable Denver paper that 50,000 Americans have gone to Canada this year for the purpose of availing themselves of the benefit of the cheap public lands there located.

The necessity for some action of this character is so universally conceded that the great political parties in national convention assembled have declared in favor of the reclamation of the arid lands by the National Government.

Unless we wish no development in the arid region of the West, unless we are willing that the people of the United States should seek other lands, unless we are willing that our people should develop foreign countries, unless we are willing that our natural greatness shall be dwarfed, we must enact some measure of this character for the development of that vast territory lying west of the one hundredth meridian, which constitutes nearly one-half of the area of the Union.

#### II. WHY THE GOVERNMENT SHOULD ACT.

Since the natural flow of the streams in the arid region has already been appropriated, it is impossible for a settler to reclaim Government land. The cost of constructing a reservoir and conducting the water stored therein to his land would be so enormous compared to the value of his settlement that it becomes an impossible task. As settlers are always poor, a combination of them would be equally unavailing.

The reason private corporations have not made a success of irrigation enterprises is because they have never been able to

control both the water and the land. The Government land not being open to location by a corporation, such companies have not been able to acquire land and thus receive the benefit which follows from the application of water to land. As the Government has the title to the land, and desires that it should be occupied by the actual settlers, almost the only way success can be attained is by the Government constructing the reservoirs and disposing of the land and water to the settlers.

The National Government owes a duty to the State which does not seem to be appreciated by many of the members of this House. The United States has never acquired territory for the purpose of holding perpetual title thereto, except those small tracts of land used for governmental purposes. The object of the United States in the purchase of territory has always been the acquisition of political sovereignty and the incidental benefits which arise in the increase of wealth and population, which in the end yield enormous sums in taxation.

Inasmuch as it is the law that all property of the United States shall be exempt from State and county taxation, it can readily be seen that a great wrong is perpetrated against the State if the Government holds in perpetuity lands within the limits of the State, and a great wrong is perpetrated if the settlement laws are so framed that they are not applicable to the arid region and therefore produce no settlement of such public lands.

It is recognized that generally thirty years' exemption from taxation equals the value of the land. It can therefore be seen that in the fifty-five years' exemption from taxation of Government lands in the West the States have suffered a loss of nearly double the value of the lands.

The State and county governments of that region are compelled to levy taxes on the lands in private ownership far in excess of what would be required if the Government's lands were liable to taxation.

It is not right to the State and county governments of that region that they should maintain government over all of those lands, patrol the same, establish roads and bridges over the same, and yet receive no return from the proprietor of three-fourths of the lands. Ninety-six per cent of the real estate of the State of Nevada is public lands. You can readily see that as 4 per cent of the lands must bear all the burdens of State, county, and school government, while 96 per cent of the lands are free from taxation, the law produces a great injustice to the State of Nevada. The same injustice in a less degree is perpetrated against every other State in the West.

On account of this condition, it is plain that the United States Government owes a duty to the States, not to hold in perpetuity its lands, not to refuse to make settlement laws that are applicable to that region, but to proceed to put its lands in such condition that as much of the public domain as possible may be irrigated and become producing farms, so that the States may get some return in taxation for the State and county governments extending over the same.

The National Government also owes a duty to its own people to give them the opportunity of building homes. There is no factor that enters so much into the creation of good citizenship as the home. Its influence for good is far-reaching in its consequences. To convert its absolutely worthless land into fertile farms, by which millions of its citizens can live in comfort, is the highest duty of the Government of the United States.

It is not fair that the West should be compelled to contribute for the enormous river and harbor improvements, for the building of great fortifications on the seaboard, and for the construction of the costly battle ships and cruisers of the nation, without receiving in some way appropriations that will assist its development.

The river and harbor improvements are worth nothing to the West. The fortifications, battle ships, and cruisers are not for our protection. The combined armies of the world, even if they could effect a lodgment on our coast, could never penetrate into the interior of our country. But we do not begrudge the expenditures for the proper protection of our seacoast cities, nor for the development of our ocean and river commerce. But you should recognize that when you get so much in the way of appropriations for the East you should be willing to give us something for the development of our own States, which will result in far greater benefit to the nation at large than ten times the amount expended in the improvements of rivers and harbors. For these reasons, it seems to me, the Government should act.

#### III. RESULT OF ACTION.

West of the one hundredth meridian there are 600,000,000 acres of public arid lands. These lands are practically worthless unless they can be reclaimed for agricultural purposes. When reclaimed they become the richest and most productive lands in the world. The converting of lands that are worthless into farms that produce more bountifully than any wilds known is bound to result

in the building up of great States with great population and with enormous wealth.

It is estimated by the Geological Survey that 60,000,000 of acres of this arid and worthless land can be reclaimed by the construction of reservoirs, as contemplated in this bill. The converting of 60,000,000 acres of worthless land into that number of acres of the most fertile land in the world, with its increase in productive power from nothing to rich yield, is sure to produce a marvelous development in that region. It has been estimated by the Geological Survey that the lands so reclaimed are capable of supporting a population of 50,000,000 of people.

Fifty millions of Americans, contented and happy, upon lands yielding bountiful crops, will be a marvelous result when you consider that the lands are now the home of the prairie dog and coyote. What a market for the Eastern manufacturer will these 50,000,000 people make, with their enormous consuming power. Such a trade will be worth more to the manufacturers of the East than the entire trade of the Orient with all the world.

How shortsighted it is to attempt to acquire and develop territories occupied by alien races, with very little consuming ability, when we have such a promising field within the borders of our own country.

#### WHAT COMPETITION WILL BE CREATED.

It has been contended by the gentleman from Iowa [Mr. HEPBURN] that the products from the lands reclaimed will come in competition with those of the farmers of the Middle West, and therefore the bill should not pass. Where would Iowa be to-day if the Government had not pursued a liberal policy with relation to the settlement of the lands of that and other Western States? It has given to the people of those States the opportunity to take up lands for nothing, or at nominal figures, which required no expenditure to speak of to develop into productive farms.

Was it not a wise policy upon the part of the National Government to so frame its land laws as to develop the State of Iowa? Would not people of the East have been justified by fear of competition to have retarded settlement in Iowa by illiberal land laws if they are justified now by apprehension that competition will arise between the farmers of the arid region and those of the East? The Government can not afford to dwarf any portion of her domain.

But, sir, on account of the high freight rates existing between the arid region and the Eastern market, it is to the interest of that section to principally raise crops that will not compete with the farmers of the Middle West.

The great crop of that region is alfalfa hay, which is too bulky to be shipped, which is fed on the farm to cattle, which in turn are shipped to the cornfields of Kansas and Nebraska for fattening before being further shipped to the packing houses for beef. Over one-half of the value of the agricultural crops of Colorado is from the production of alfalfa. Of the \$16,970,588 of agricultural products raised in Colorado, the sum of \$8,159,279 was from alfalfa.

The tendency in the arid West is to raise those commodities which can be consumed at home or which do not come in competition with products of the East, because it is to the interest of the farmers there so to do. The people of my State are now increasing enormously the production of sugar beets, which are manufactured into sugar in the localities where they are raised, the sugar being sufficiently valuable to warrant the payment of freight rates to the East. In other portions of the arid region oranges, lemons, olives, and grapes are raised, and although they are shipped East they do not compete with the products of the Eastern farmers.

The three great staple products of the United States are corn, cotton, and wheat. Very little corn can be grown in the arid West, because of the cool nights that prevail there, caused by the altitude of that region. Not only warm days, but warm nights are essential to the development of corn, and it is impossible to produce corn to any extent without these conditions.

No cotton whatever is raised in that Western country for the same reason. It takes heat to produce cotton, and it is not there in sufficient degree.

We raise in the arid region some wheat, most of which is consumed at home, but some of which is shipped to the East. What is the extent of the competition which that wheat makes? Everyone recognizes as to a commodity which we export from our shores that the price of that which is exported fixes the price of all which is consumed in our country. The price of the exported commodity can not be less than the home price, because if less there would be a loss on every shipment. Under such conditions there is always a world's market that determines the price of such a product, and the world's price is fixed with relation to the demand for and supply of that product in the entire world.

It is recognized that the world's market for wheat and cotton is in Liverpool, England. In any part of the United States one can ascertain the price of wheat or cotton by deducting from the Liverpool price the charges of transportation to that market.

It can readily be seen, therefore, that what competition may be created by the raising of wheat by irrigation under the development produced by this bill will not be in the proportion which the amount raised in the arid region bears to the amount produced in the other States of the Union, but will be in the proportion which the amount raised in the arid region compares to the total amount produced in the entire world, and hence the competition created by growing a world's product must be infinitesimal. There is no more competition against the Eastern or Middle West farmers in the raising of wheat in the arid region than there is in the production of wheat in Canada. Both have to seek the Liverpool market for the price, and in the fixing of that world's price it is immaterial whether the wheat comes from the arid region, from Canada, from Argentina, or from India.

How foolish it would be for this country, in fear of competition among ourselves, to retard the development of the arid region of our own country while the development of Canada and other countries is progressing with rapid speed, and when the competition caused by the foreign wheat would be just as great as the competition produced by the raising of wheat in the arid region.

Although the result in the development of the West from the provisions of this bill will in the far future be great, yet it is bound to be very slow. All public works of the Government are constructed slowly, and consequently the area reclaimed each year relative to the acreage in the humid climate of our country is bound to be infinitesimal.

It is for these reasons, Mr. Chairman, that I am in favor of the passage of this bill. There is an absolute necessity for action in the reclamation of these arid lands. The Government is the only agency through which this action should be taken.

The result of such action is bound to make the arid part of the United States in the future not only one of the richest, but one of the most populous portions of our glorious Union.

Mr. NEEDHAM. Mr. Chairman, the consideration of this measure marks an epoch in the legislative history of our country, among the most important, especially as to internal policies, in the whole history of the nation.

The President, in his last annual message to Congress, was entirely justified, in my opinion, when he stated: "The forest and water problems are perhaps the most vital internal questions of the United States." We have had much to do and to say, during the last few years, relative to our nation's policies abroad, and while I do not wish to in any way minimize the importance of these external policies, still I confess to a feeling of gratitude that we are now considering a question which means so much to the internal growth and development of our country.

For years Western members of Congress have been working in season and out of season to bring to the consideration of both branches of Congress the question of irrigation in its national aspects. These efforts were looked upon by a great many people as futile, and oftentimes with ridicule, and by but few with much hope of ultimate success. However, when the two great political parties in their national platforms of 1900 adopted planks favorable to the national irrigation movement, the first great step was taken. The Republican platform adopted at Philadelphia upon this subject reads:

In further pursuance of the constant policy of the Republican party to provide free homes on the public domain, we recommend adequate national legislation to reclaim the arid lands of the United States, reserving control of the distribution of water for irrigation to the respective States and Territories.

#### The Democratic platform reads:

We favor an intelligent system of improving the arid lands of the West, storing the waters for purposes of irrigation, and the holding of such lands for actual settlers.

These declarations, made by the two great political parties of the country in their last national conventions, should not be, Mr. Chairman, by members upon either side of this Chamber lightly considered. These declarations were deliberately made. They were made as the result of a movement which had been going on for a number of years and which had increased in power until it had compelled national recognition. I can not but assume that the members of both political parties occupying seats upon this floor will give to the declarations of their party conscientious consideration with a view to meeting its demands and promises.

The second great step in this movement—and I speak now particularly of the movement looking toward legislative recognition—was when the President, in his last annual message, treated so fully and ably of this great question. I wish to commend the language of the President to the most careful consideration of every individual who may have any doubts whatever upon the policy of the United States entering upon this subject. I do not believe that there was ever crowded into so short a space an argument so cogent and reasons so forcible for the enactment of the legislation under consideration as are contained in the message of the President, and I will append as a part of my remarks that portion of the message referred to.



Mr. Chairman, the two principal arguments urged against the present bill are, first, that the bill itself is unconstitutional, and, second, that it will so increase the arable area of the United States as to disastrously affect the farmers of the East. There are other arguments urged against this legislation, but the two just named are those particularly relied upon by its opponents to bring about its defeat.

As to the first argument—that is, that it is unconstitutional—it is appropriate to say that this argument has been brought forth against every measure that was ever proposed that contemplated a departure in legislation from fixed policies theretofore followed. The argument that a specific measure is unconstitutional is one of the most familiar heard upon this floor. It is invoked by those who are opposed to legislation probably the most frequent of all arguments. It is a scarecrow set up before timid minds to deter action and to postpone consideration.

The claim that a specific measure or that the inauguration of a proposed policy is unconstitutional is one of the stock arguments of technical minds and hairsplitting constitutional lawyers. One thing is sure, and that is that there is at least doubt upon this subject. The policy itself is wise, is beneficial, is necessary; and conceding, for the sake of argument, that there is doubt of its constitutionality, what objections can the opponents of this measure raise to its enactment into law? If it is unconstitutional, it will be so declared. But we do not for a moment admit that the measure is unconstitutional. From the foundation of the Government Congress has enacted legislation for which there can be found no express warrant in the Constitution. As has already been said in this debate, if the interpretations of the strict constructionists are to be followed, we would have no power to organize and maintain an Agricultural Department, no power to maintain experimental stations or farms, no power or warrant in the Constitution to measure streams, none to investigate the various forms of plant and animal life. If we are to accept the ideas of those who take the narrow constitutional view, Congress has no power to establish a Geological Survey, no authority to improve rivers and harbors, no warrant for the examination and classification of our public lands, and yet Congress has been doing all these things for years.

Congress has power to dispose of and to make rules and regulations respecting the territory of the United States, and it has power to promote the general welfare. If by the inauguration of a system of legislation we can better dispose of the territory of the United States—its public lands—we are warranted in believing that we are within our constitutional powers. But, Mr. Chairman, if the making arable of 70,000,000 acres of the public lands now worthless, uninhabited, and practically barren of both animal and plant life is not a promotion of the general welfare, then I am at a loss to understand what the National Legislature can undertake to do that would to a greater extent carry out this express warrant of the Constitution. The reclamation of this 70,000,000 acres of the public domain is not confined in its effect to this area alone, but it adds immensely to the wealth and producing capacity of the area immediately adjoining. That is to say, the result of this policy will bring into greater use the whole arid region.

The 70,000,000 acres which it is estimated can be brought under irrigation will be used in intensified farming, and being used in connection with the balance of the public domain not capable of actual reclamation will immeasurably promote the wealth and population of the whole arid and semiarid region of the United States, a section of our country which, exclusive of Alaska, occupies one-third of the territory of the country. If the settling up of one-third of the area of the United States; if the making of homes out of territory of the United States now practically uninhabited; if the division of this vast territory into small farms upon which will be American citizens contributing their share of the taxes to the States and to the country; if the inauguration of a policy which will bring about these results is not a promotion of the general welfare, then I am at a loss to understand what action could be taken by this body that would in a greater degree carry out this express warrant of the National Constitution.

Now, as to the second principal argument against the enactment of this legislation—that is, that its adoption will increase the arable area of the United States to such an extent as to injuriously affect the farmers of the East. It is difficult for me, Mr. Chairman, to have any patience with those who bring forth this argument. It is unworthy this great legislative body. I can not understand how any intelligent legislator will seriously urge it. An analysis of this contention will show its absurdity. If the bringing of further land within our national domain into competition with the Eastern farmers would have seriously affected them, then the acquisition of the Northwest Territory, every acre of which is in a humid climate, fertile and immensely productive, was a blunder; and the purchase of the Louisiana territory, bringing as it did the whole Mississippi Valley under

our dominion, an empire afterwards erected into prosperous and fertile States, was a still greater mistake. The addition of these immense tracts to our national territory opened up profitable markets for the people of the East, tended immeasurably to diversify our industries, giving to the East an immense impetus to the growth of manufacturing industries, the West being given over particularly to agricultural pursuits, thus creating an interchange of commodities between the two sections mutually advantageous and profitable.

In the light of history, will anyone contend that the bringing under the flag of the Northwest Territory and the Louisiana purchase was in any way inimical to the interests of the Eastern section of our country? The mere statement of this argument, Mr. Chairman, it seems to me, shows its absurdity. If it had any foundation whatever it would be equally as sensible for us to contend that our country would be better off to-day—more prosperous—if it were still composed of the thirteen original colonies.

The farming lands of the Northwest Territory and of the Louisiana purchase are somewhat similar to the farming lands of the East. The products of the soil of these three sections are to a more or less extent similar. Therefore, as a matter of fact, these sections necessarily compete with each other. But, Mr. Chairman, the land which will be brought under cultivation in the arid and semiarid region, if the bill under consideration passes, is very dissimilar to that of our Eastern farms.

The products of land raised by irrigation are necessarily of a different class and character from the products raised from land without irrigation. Therefore, the land which will be brought under cultivation by this measure will be much less in competition with the farms of the East than any lands that have heretofore been added to our farming domain. Products of the West raised by means of irrigation are largely fruits, vegetables, and alfalfa. Alfalfa is used, of course, exclusively for feed for stock, especially cattle. There is confessedly not a sufficient supply of beef cattle to meet the legitimate demands of our country. The same is true of fruit and vegetables: so that upon the face of matters it is seen that of the principal products which will come from the irrigated lands of the West the supply is unequal to the demand. Therefore, the slightest analysis of the question conclusively shows that the fear of the Eastern farmers that the opening up of lands in the West to farming by means of irrigation will bring them into injurious competition with them is utterly unfounded, and I suggest in all candor that their representatives upon this floor should resort to some argument more worthy of consideration.

Then, again, Mr. Chairman, so far as the staple products are concerned that are raised in the West, especially on the Pacific coast, they have never come into competition with similar products raised in our country east of that section. For years California, until irrigation became more general, was one of the leading wheat-producing States of the Union. Yet our wheat never came into competition with the Eastern wheat farmer, because the wheat raised on the Pacific coast has mostly thus far found a market in Europe. Liverpool has always been the market of the California wheat farmer. The broad Pacific will always be the pathway upon which will be carried the staple products of the Pacific coast and the Far West. The sailing vessel can carry these products much cheaper to the markets of Europe and Asia than can the iron horse to the markets of the eastern portion of our country, and thus eliminate all fear of competition in these products. Up to this time the chief market of the Pacific coast for its staple products has been Europe, but the markets of Asia and the Orient are becoming more and more inviting; their possibilities can hardly be overestimated. These markets naturally belong to the Pacific coast, to our Western farmers.

The impression that eastern Siberia has large tracts of fertile land whose products threaten oriental competition with the agricultural products of the Pacific coast is not founded on fact. Americans who have lived in that country for years and who have made a study of its resources and American consular officers familiar with eastern Siberia unite in the statement that that vast region is not adapted to successful wheat culture and that any fear of competition in agricultural products may be dismissed from the American mind.

In the advance sheets of the Consular Reports, No. 1278, issued by the Bureau of Foreign Commerce under date of March 1, 1902, Richard T. Greener, American commercial agent, writing from Vladivostok, Siberia, under date of December 31 last, says:

At present there is no great demand for American machinery. The market is well stocked, crops are bad, money is scarce, the Government is closing down on credit, and the condition of the Siberian peasant farmer is deplorable. Efforts are being made to teach the peasant how to farm. In the United States the foreign immigrant learns by every day example rather than by theory. The Siberian peasant is not used to severe and unremitting labor. He has few wants and many holidays. Lately some highly colored reports have reached us from America as to what Siberia was capable of doing in an

agricultural way. It is suggested that American flour mills on the Pacific coast will soon be closed in consequence of the millions of acres here ready to be devoted to cereals. An uncertain climate, imperfect machinery, and unreliable labor are not factors for successful competition with the United States.

Notwithstanding the cheap transportation offered emigrants and the development of virgin soils, famine seems a periodical visitor, and it is here to-day. The central governments are literally besieged with clamors for bread, for medicine, for work, grain, hay—anything. Tomak, Perm, Kerson, Yaronej, Khalkinsk, all join in this demand. It is safe to say that the United States need have no immediate fear of competition from this quarter, whether it be in grain or machinery, canned goods or cotton goods, production of gold or building of ships.

Mr. Greener has been stationed at Vladivostock for several years and speaks authoritatively of local conditions.

In advance sheets of Consular Reports, No. 1353, Henry B. Miller, American consul at Niuchwang, Manchuria, referring to the growing popularity of American flour, writes as follows, under date of March 4, 1902:

The result of the year's trade shows that American flour is increasing in popularity even in this great grain-producing country, where corn, wheat, millet, and beans grow to perfection. The first considerable shipment of flour to this port was in the year 1899, when the quantity imported amounted to 104,854 haikwan tael (\$15,547). The following year, on account of the troubles in China, this amount was increased to 231,957 haikwan tael (\$167,171). This greatly augmented importation, due to the abnormal conditions, led to the prediction that there would be a considerable falling off in future imports, but the amount brought in during the year 1901—176,821 haikwan tael (\$129,243)—indicates that the Chinese desire for American flour has become permanent, and that it will continue to be imported in increasing quantities.

It will be seen that two strong facts stand out clearly: First, the inability of eastern Siberia to compete with Americans in the oriental trade for food stuffs; second, the growing popularity of American flour in Manchuria.

It will therefore be conceded, I take it, that the demand of Europe and the Orient for the staple products of our Western and Pacific coast section is ample to absorb the whole surplus.

Then again, Mr. Chairman, the growth of the irrigated area of the United States shows a decrease in the production of staple products. Two of the foremost products of the great Middle West are wheat and corn. Now, I take it that the State of California probably shows as much progress in the matter of irrigation as any other State in the Union, and our State shows a decrease during the last ten years in the amount of wheat and corn raised.

The census statistics show that in the State of California the acreage in wheat from 1889 to 1899 decreased 5.5 per cent, while the acreage in corn shows the large decrease of 23.3 per cent. There is also in this State, relatively, a large decrease in the number of bushels of these products produced during this decade, there being over 4,000,000 bushels less of wheat produced in 1899 than in 1889, and about a million less bushels of corn produced between said years. While this large decrease, which necessarily will probably become greater and greater as the irrigated area increases, particularly in the amount available for shipping, there will be a corresponding increase in the acreage planted and output of fruits, vegetables, and alfalfa. I will append to my remarks, without taking the time to read, some tables of the last census which further illustrate just what I have referred to.

Now, Mr. Chairman, I have attempted to show, within the short time at my disposal, first, that the present bill is not unconstitutional; and, second, that it will not injuriously affect the interests of the East.

What are the provisions of the bill under consideration? Briefly, it provides that all moneys received from the sales of public lands in the States and Territories in the arid and semiarid regions, excepting the 5 per cent set aside by law for educational purposes, shall be reserved and set aside as a special fund to be known as the "reclamation fund," to be used in the examination and survey, and for the construction and maintenance of irrigation works. The Secretary of the Interior is directed to make examinations and surveys for and to locate and construct irrigation works and pay the cost thereof out of this fund. He is to report to Congress at the beginning of each session the results of such examinations and surveys, giving estimates of costs of all contemplated works, the quantity and location of the lands which can be irrigated therefrom, and also all facts relative to the practicability of each irrigation project.

Before letting contract or giving notice of intention to enter upon the work of any particular project the land necessary for the irrigation works, as well as that which is susceptible of irrigation from said works, is to be withdrawn from settlement, except that the latter is open to settlement only under the homestead law, in tracts of not less than 40 or more than 160 acres. When the necessary amount is available in the reclamation fund the contract for the completion of the project which is deemed practicable may be let, at which time the limit of area, per entry, which the Secretary shall deem necessary for the support of a family upon the lands in question, also the charges which shall be made per acre upon said entries, and also upon

lands held in private ownership which may be irrigated from said project, and the number of annual installments, not exceeding 10, which shall be paid with a view to returning to the reclamation fund the estimated cost of the construction of the project, shall be apportioned equitably. Those desiring to use the water made available must be actual bona fide residents on such land, and the right to such use of water under the provisions of this act shall be appurtenant to the land irrigated, and beneficial use shall be the measure and the limit of the right.

This in brief covers the principal features of the bill. It does not take from the Treasury directly any money. It provides an automatic method in probably as safe and simple form as can be devised. The time is ripe for the entry upon this legislation.

Private enterprise has done much in the line of irrigation in the West. Our States also have given much thought and attention to this important question, but, as the President states in his message, in effect, there are enterprises that are too vast for private effort, and again:

Nor can it be best accomplished by the individual States acting alone; far-reaching interstate problems are involved, and the resources of single States would often be inadequate. It is properly a national function, at least in some of its features.

This bill deals with the problem in its national features. It is an experiment along practical lines, and, in my judgment, does not of necessity commit the Congress of the United States irrevocably to this policy if it should not prove a success. It can be abandoned should experience require it. The possibilities of a broad policy of national irrigation are so great, the area of our country to be affected so vast, that I believe we owe it to the nation to inaugurate this policy without further delay.

#### APPENDIX A.

[From President's message to Congress, December, 1901.]

The forests alone can not, however, fully regulate and conserve the waters of the arid region. Great storage works are necessary to equalize the flow of streams and to save the flood waters. Their construction has been conclusively shown to be an undertaking too vast for private effort. Nor can it be best accomplished by the individual States acting alone. Far-reaching interstate problems are involved; and the resources of single States would often be inadequate. It is properly a national function, at least in some of its features. It is as right for the National Government to make the streams and rivers of the arid region useful by engineering works for water storage as to make useful the rivers and harbors of the humid region by engineering works of another kind. The storing of the floods in reservoirs at the headwaters of our rivers is but an enlargement of our present policy of river control, under which levees are built on the lower reaches of the same streams.

The Government should construct and maintain these reservoirs as it does other public works. Where their purpose is to regulate the flow of streams the water should be turned freely into the channels in the dry season to take the same course under the same laws as the natural flow.

The reclamation of the unsettled arid public lands presents a different problem. Here it is not enough to regulate the flow of streams. The object of the Government is to dispose of the land to settlers who will build homes upon it. To accomplish this object water must be brought within their reach.

The pioneer settlers on the arid public domain chose their homes along streams from which they could themselves divert the water to reclaim their holdings. Such opportunities are practically gone. There remain, however, vast areas of public land which can be made available for homestead settlement, but only by reservoirs and main-line canals impracticable for private enterprise. These irrigation works should be built by the National Government. The lands reclaimed by them should be reserved by the Government for actual settlers, and the cost of construction should, so far as possible, be repaid by the land reclaimed. The distribution of the water, the division of the streams among irrigators, should be left to the settlers themselves in conformity with State laws and without interference with those laws or with vested rights. The policy of the National Government should be to aid irrigation in the several States and Territories in such manner as will enable the people in the local communities to help themselves, and as will stimulate needed reforms in the State laws and regulations governing irrigation.

The reclamation and settlement of the arid lands will enrich every portion of our country, just as the settlement of the Ohio and Mississippi valleys brought prosperity to the Atlantic States. The increased demand for manufactured articles will stimulate industrial production, while wider home markets and the trade of Asia will consume the larger food supplies and effectually prevent Western competition with Eastern agriculture. Indeed, the products of irrigation will be consumed chiefly in upbuilding local centers of mining and other industries, which would otherwise not come into existence at all. Our people as a whole will profit, for successful home-making is but another name for the upbuilding of the nation.

The necessary foundation has already been laid for the inauguration of the policy just described. It would be unwise to begin by doing too much, for a great deal will doubtless be learned, both as to what can and what cannot be safely attempted, by the early efforts, which must of necessity be partly experimental in character. At the very beginning the Government should make clear, beyond shadow of doubt, its intention to pursue this policy on lines of the broadest public interest. No reservoir or canal should ever be built to satisfy selfish personal or local interests, but only in accordance with the advice of trained experts, after long investigation has shown the locality where all the conditions combine to make the work most needed and fraught with the greatest usefulness to the community as a whole. There should be no extravagance, and the believers in the need of irrigation will most benefit their cause by seeing to it that it is free from the least taint of excessive or reckless expenditure of the public moneys.

Whatever the nation does for the extension of irrigation should harmonize with and tend to improve the condition of those now living on irrigated land. We are not at the starting point of this development. Over two hundred millions of private capital has already been expended in the construction of irrigation works, and many million acres of arid land reclaimed. A high degree of enterprise and ability has been shown in the work itself; but as much can not be said in reference to the laws relating thereto. The security and



value of the homes created depend largely on the stability of titles to water; but the majority of these rest on the uncertain foundation of court decisions rendered in ordinary suits at law. With a few creditable exceptions, the arid States have failed to provide for the certain and just division of streams in times of scarcity. Lax and uncertain laws have made it possible to establish rights to water in excess of actual uses or necessities, and many streams have already passed into private ownership, or a control equivalent to ownership.

Whoever controls a stream practically controls the land it renders productive, and the doctrine of private ownership of water apart from land can not prevail without causing enduring wrong. The recognition of such ownership, which has been permitted to grow up in the arid regions, should give way to a more enlightened and larger recognition of the rights of the public in the control and disposal of the public water supplies. Laws founded upon conditions obtaining in humid regions, where water is too abundant to justify hoarding it, have no proper application in a dry country.

In the arid States the only right to water which should be recognized is that of use. In irrigation this right should attach to the land reclaimed and be inseparable therefrom. Granting perpetual water rights to others than users, without compensation to the public, is open to all the objections which apply to giving away perpetual franchises to the public utilities of cities. A few of the Western States have already recognized this, and have incorporated in their constitutions the doctrine of perpetual State ownership of water.

The benefits which have followed the unaided development of the past justify the nation's aid and cooperation in the more difficult and important work yet to be accomplished. Laws so vitally affecting homes as those which control the water supply will only be effective when they have the sanction of the irrigators; reforms can only be final and satisfactory when they come through the enlightenment of the people most concerned. The larger development which national aid insures should, however, awaken in every arid State the determination to make its irrigation system equal in justice and effectiveness that of any country in the civilized world. Nothing could be more unwise than for isolated communities to continue to learn everything experimentally, instead of profiting by what is already known elsewhere. We are dealing with a new and momentous question in the present years while institutions are forming, and what we do will affect not only the present but future generations.

Our aim should be not simply to reclaim the largest area of land and provide homes for the largest number of people, but to create for this new industry the best possible social and industrial conditions; and this requires that we not only understand the existing situation, but avail ourselves of the best experience of the time in the solution of its problems. A careful study should be made, both by the nation and the States, of the irrigation laws and conditions here and abroad. Ultimately it will probably be necessary for the nation to cooperate with the several arid States in proportion as these States by their legislation and administration show themselves fit to receive it.

#### APPENDIX B.

[Agricultural and irrigation statistics of the State of California, from Bulletin No. 164, Census Bureau, Twelfth Census of the United States.]

A "farm," as defined by the Twelfth Census, includes all the land, under one management, used for raising crops and pasturing live stock, with the wood lots, swamps, meadows, etc., connected therewith. It includes also the house in which the farmer resides, and all other buildings used by him in connection with his farming operations.

The farms of California, June 1, 1900, numbered 72,542, and had a value of \$707,912,990. Of this amount \$77,468,000, or 10.9 per cent, represents the value of buildings, and \$630,444,990, or 89.1 per cent, the value of land and improvements other than buildings. On the same date the value of farm implements and machinery was \$21,311,670, and that of live stock \$57,303,325. These values, added to that of farms, give \$796,527,955, the "total value of farm property."

#### Farms and farm acreage, 1850 to 1900.

Year.	Number of farms.	Number of acres in farms.				Percent of farm land improved.
		Total.	Improved.	Unimproved.	Average.	
1900.....	72,542	28,828,951	11,958,837	16,870,114	397.4	41.5
1890.....	52,849	21,427,239	12,222,839	9,204,400	405.1	57
1880.....	35,934	16,598,742	10,669,698	5,924,044	461.8	64.3
1870.....	23,724	11,427,105	6,218,133	5,208,972	481.7	54.4
1860.....	18,716	8,780,034	2,468,034	6,312,000	466.4	28.3
1850.....	872	3,893,985	32,454	3,861,531	4,465.6	.8

#### INCREASE IN THE NUMBER OF FARMERS IN CALIFORNIA.

From 1850 to 1900 the population of California increased from 92,597 to 1,485,053, or sixteenfold, while the number of farms increased from 872 to 72,542, or over eightyfold. In other words, from 1850 to 1900 the number of farms, and hence the number of persons operating them as owners or tenants, increased faster than the population. This statement applies also to the decades, 1850 to 1860, 1870 to 1880, and 1890 to 1900.

#### Acreage and production of cereals 1849 to 1899.

##### PART 1.—ACREAGE.

Year.*	Barley.	Buckwheat.	Corn.	Oats.	Rye.	Wheat.
1899.....	1,029,647	395	53,930	153,734	62,925	2,683,405
1889.....	815,995	664	70,303	57,569	27,413	2,840,807
1879.....	586,390	1,012	71,781	49,947	20,281	1,832,429

##### PART 2.—BUSHELS PRODUCED.

Year.....	Barley.	Buckwheat.	Corn.	Oats.	Rye.	Wheat.
1899.....	25,149,335	7,835	1,477,093	4,972,356	524,451	36,534,407
1889.....	17,548,386	10,388	2,381,270	1,463,068	243,871	40,869,337
1879.....	12,463,561	22,307	1,963,325	1,341,271	181,681	29,017,707
1869.....	8,783,490	21,928	1,221,222	1,757,507	26,275	16,676,702
1859.....	4,415,426	76,887	510,708	1,043,006	52,140	5,928,470
1849.....	9,712	.....	12,233	.....	.....	17,328

\*No statistics of acreage secured prior to 1879.

The following table gives the statistics of the principal crops of 1899:

#### Acreages, quantities, and values of the principal farm crops in 1899.

Crops.	Acres.	Unit of measure.	Quantity.	Value.
Corn.....	53,930	Bushels.....	1,477,093	\$706,894
Wheat.....	2,683,405	do.....	36,534,407	20,179,044
Oats.....	153,734	do.....	4,972,356	1,700,397
Barley.....	1,029,647	do.....	25,149,335	10,645,723
Rye.....	62,925	do.....	524,451	251,486
Buckwheat.....	395	do.....	7,835	3,945
Kafir corn.....	20,218	do.....	420,452	193,244
Flaxseed.....	904	do.....	12,610	10,559
Clover seed.....	.....	do.....	14,409	67,550
Grass seed.....	.....	do.....	1,113	1,847
Hay and forage.....	2,239,601	Tons.....	3,035,982	19,436,393
Tobacco.....	27	Pounds.....	23,490	4,352
Hemp.....	500	do.....	620,000	45,000
Hope.....	6,891	do.....	10,124,600	925,319
Broom corn.....	1,669	do.....	1,146,000	40,506
Peanuts.....	433	Bushels.....	15,461	12,650
Castor beans.....	7	do.....	125	250
Dry beans.....	45,861	do.....	658,515	1,022,586
Dry peas.....	2,014	do.....	57,299	70,633
Potatoes.....	42,098	do.....	5,242,596	2,637,528
Sweet potatoes.....	1,607	do.....	239,029	135,612
Onions.....	2,207	do.....	514,559	296,671
Sugar beets.....	41,242	Tons.....	356,535	1,550,246
Miscellaneous vegetables.....	30,194	.....	.....	2,562,161
Chicory.....	78	Pounds.....	135,500	4,200
Sorghum cane.....	140	Tons.....	*6	10
Sorghum sirup.....	.....	Gallons.....	8,671	3,778
Small fruits.....	6,353	.....	.....	911,411
Grapes.....	*139,362	Centals.....	7,214,334	*5,622,825
Orchard fruits.....	*340,978	Busheis.....	22,632,770	*14,526,786
Tropical fruits.....	*119,836	.....	.....	7,219,082
Nuts.....	.....	.....	.....	1,442,675
Forest products.....	.....	.....	.....	1,722,840
Flowers and plants.....	672	.....	.....	580,646
Seeds.....	1,673	.....	.....	121,896
Nursery products.....	2,914	.....	.....	558,829
Miscellaneous.....	.....	.....	.....	156,473
Total.....	7,025,515	.....	.....	95,865,712

\*Sold as cane.

\*Estimated from number of trees or vines.

\*Including value of raisins, wine, etc.

\*Including value of vinegar, cider, etc.

California, with its varied topography, soil, and climate, offers an interesting field for the study of irrigation. No other State produces such a variety of crops, and in no other State have agricultural lands, as such, reached the selling price of the semitropical fruit orchards of southern California. Except in a few localities there is not, in California, the absolute necessity for irrigation that exists in most other Western States and Territories. On nearly all of the lands that are irrigated some crops will grow, in ordinary seasons, without artificial application of water. The more valuable crops, however, usually require irrigation, and with it the yield of all crops is increased greatly. An irrigation system is an insurance against crop failure in years of drought.

The following table is a comparative exhibit by counties of the number of irrigators and the acreages irrigated in 1889 and in 1899:

Number of irrigators and acres irrigated, with percentages of increase, by counties, 1889 and 1899.

Counties.	Number of irrigators.			Acres irrigated.		
	1899.	1889.	Percent of increase.	1899.	1889.	Percent of increase.
The State.....	25,675	13,732	87	1,446,114	1,004,233	44
Alameda.....	101	.....	.....	2,532	.....	.....
Alpine.....	33	31	6.5	4,391	2,680	63.8
Amador.....	137	221	*38	1,167	3,136	*62.8
Butte.....	455	372	22.3	7,332	5,478	33.8
Calaveras.....	143	57	150.9	1,476	582	153.6
Colusa.....	62	93	.....	2,995	7,525	*41.8
Glenn.....	67	.....	38.7	1,382	.....	.....
Eldorado.....	295	425	*30.6	3,387	4,318	*21.6
Fresno.....	2,459	1,400	84.2	283,737	105,665	190
Madera.....	120	.....	.....	23,152	.....	.....
Inyo.....	362	209	73.2	41,026	46,242	*11.3
Kern.....	653	370	76.5	112,533	154,549	*27.2
Kings.....	780	.....	74.6	92,794	.....	6.6
Tulare.....	1,467	1,287	.....	86,854	168,455	.....
Lake.....	45	68	*33.8	523	958	*45.4
Lassen.....	313	293	6.8	49,634	55,819	*11.1
Los Angeles.....	4,066	1,843	120.6	85,644	70,164	22.1
Mariposa.....	66	90	*26.7	574	730	*21.4
Merced.....	520	231	125.1	111,390	32,309	244.6
Modoc.....	467	402	16.2	78,016	80,110	*2.6
Mono.....	97	94	3.2	59,202	43,523	36
Monterey.....	88	21	819	6,675	891	649.2
Nevada.....	283	318	*11	4,003	3,990	.3
Orange.....	1,558	1,039	50	41,549	31,816	30.6
Placer.....	518	431	20.2	10,308	7,430	37.8
Plumas.....	187	186	.5	28,423	84,196	*16.9
Riverside.....	1,737	.....	.....	32,947	.....	.....
San Bernardino.....	1,854	1,521	22.6	37,877	37,907	80.6
San Diego.....	1,041	524	.....	16,022	10,163	.....
Sacramento.....	425	146	191.1	12,409	1,718	622.3
San Benito.....	166	77	115.6	2,870	905	217.1
San Joaquin.....	414	84	392.9	18,496	2,254	719.3
San Luis Obispo.....	78	.....	.....	1,137	.....	.....
Santa Barbara.....	182	47	287.2	3,218	396	712.6

Number of irrigators and acres irrigated, with percentages of increase, by counties, 1889 and 1899—Continued.

Counties.	Number of irrigators.			Acres irrigated.		
	1899.	1889.	Per cent of increase.	1899.	1889.	Per cent of increase.
Santa Clara.....	1,129	184	513.6	40,007	6,686	499.7
Shasta.....	686	475	44.4	16,159	13,662	18.3
Sierra.....	98	86	14	13,603	14,499	*6.2
Siskiyou.....	594	302	96.7	49,108	31,567	55.6
Solano.....	29			2,805		
Stanislaus.....	221	42	426.2	17,505	3,370	419.4
Tehama.....	209	116	80.2	11,512	7,169	60.6
Trinity.....	170	140	21.4	4,710	3,186	47.8
Tuolumne.....	185	100	85	1,381	1,285	7.5
Ventura.....	353	134	163.4	11,935	3,347	256.6
Yolo.....	167	39	328.2	5,161	1,602	222.2
Yuba.....	181	122	48.4	2,477	2,852	*13.1
All other counties.....	350	112	212.5	3,834	1,019	276.3
Indian reservations.....	64			242		

\* Decrease.

<sup>a</sup> Glenn organized from part of Colusa in 1892.

<sup>b</sup> Madera organized from part of Fresno in 1893.

<sup>c</sup> Kings organized from part of Tulare in 1893.

<sup>d</sup> Riverside organized from parts of San Bernardino and San Diego in 1893.

Number of irrigated farms compared with total number of farms, and irrigated acreage compared with total improved acreage, June 1, 1900.

Counties.	Number of farms.			Improved acreage.		
	Total.	Irrigated.	Per cent irrigated.	Total.	Irrigated.	Per cent irrigated.
The State.....	72,542	25,675	35.4	11,958,837	1,446,114	12.1
Alameda.....	2,787	101	3.6	226,118	2,532	1.1
Alpine.....	37	33	89.2	4,391	4,391	100
Amador.....	560	137	24.5	48,936	1,167	2.4
Butte.....	1,179	455	38.6	302,029	7,332	2.4
Calaveras.....	575	143	24.9	41,402	1,476	3.6
Colusa.....	582	62	10.7	358,227	2,995	.8
Eldorado.....	759	295	38.9	45,481	3,387	7.4
Fresno.....	3,230	2,459	74.7	786,357	283,737	36.1
Glenn.....	529	67	12.7	355,781	1,882	.4
Inyo.....	424	362	85.4	43,740	41,026	93.8
Kern.....	1,098	663	59.5	324,031	112,533	34.7
Kings.....	932	780	83.7	262,148	92,794	35.4
Lake.....	723	45	6.2	41,414	523	1.3
Lassen.....	555	313	56.4	133,296	49,634	37.2
Los Angeles.....	6,577	4,066	61.8	518,744	85,644	16.5
Madera.....	523	120	22.9	277,721	23,152	8.3
Mariposa.....	381	66	17.3	14,003	574	4.1
Merced.....	999	520	52.1	613,376	111,330	18.2
Modoc.....	638	467	73.2	122,647	78,016	63.6
Mono.....	112	97	86.6	65,238	59,202	90.7
Monterey.....	1,850	88	4.7	873,605	6,675	1.8
Nevada.....	522	283	54.2	24,898	4,003	16.1
Orange.....	2,388	1,558	65.2	236,847	41,549	17.5
Placer.....	1,076	518	48.1	121,063	10,308	8.5
Plumas.....	267	187	70.0	57,351	28,423	49.6
Riverside.....	2,340	1,737	74.2	216,083	32,947	15.3
Sacramento.....	1,392	425	30.5	327,159	12,409	3.8
San Benito.....	907	166	18.3	168,698	2,870	1.7
San Bernardino.....	2,350	1,854	78.9	96,920	37,877	39.1
San Diego.....	2,698	1,041	38.6	229,791	16,022	7
San Joaquin.....	1,998	414	20.7	632,923	18,466	2.8
San Luis Obispo.....	1,813	78	4.3	412,356	1,137	.3
Santa Barbara.....	1,149	182	15.8	202,982	3,218	1.6
Santa Clara.....	3,995	1,129	28.3	290,285	40,097	13.8
Shasta.....	1,221	686	56.2	86,540	16,159	18.7
Sierra.....	141	98	69.5	26,687	13,603	51
Siskiyou.....	931	594	63.8	181,029	49,108	27.1
Solano.....	1,151	29	2.5	344,058	2,805	.8
Stanislaus.....	951	221	23.2	622,700	17,505	2.8
Tehama.....	1,055	209	19.8	209,693	11,512	4.3
Trinity.....	2,212	170	7.7	14,144	4,710	33.3
Tulare.....	2,212	1,467	66.3	546,289	86,854	15.9
Tuolumne.....	457	185	40.5	36,461	1,381	3.8
Ventura.....	1,269	353	27.8	174,419	11,935	6.8
Yolo.....	1,214	167	13.7	351,213	5,161	1.5
Yuba.....	483	181	37.5	154,013	2,477	1.6
All other counties.....	12,925	350	2.7	1,150,406	3,834	.3
Indian reservations.....	287	64	22.3	5,244	242	4.6

In the ten years ending with 1899 the number of irrigators in the State increased from 13,732 to 25,675, or 87 per cent, and the area irrigated from 1,004,233 acres to 1,446,114 acres, or 44 per cent. Of the total improved acreage in 1900, 12.1 per cent was reported as irrigated, but the area actually irrigated was much greater than reported. In many localities large areas which are of little value without water and upon which water has not been directly applied, have been made fertile by the seepage from neighboring irrigated land. In most cases the enumerators did not report such land as irrigated, but correspondence established the fact that extensive areas were benefited in this way.

[Mr. BURKE of South Dakota addressed the committee. See Appendix.]

Mr. ROBINSON of Indiana. Mr. Chairman, the proposition that was read to the House at my request a short time ago I now propose as a substitute, and ask that it be read by the Clerk.

Mr. SHAFROTH. Wait until we get in the House.

The CHAIRMAN. The gentleman from Indiana offers the following as a substitute for the bill, which the Clerk will read. Mr. SMITH of Arizona. Mr. Chairman, I make the point of order that it has already been read.

The CHAIRMAN. It was read in the gentleman's own time for the information of the House, but was not offered at that time. Mr. SHAFROTH. Mr. Chairman, I ask unanimous consent that the reading of it at this time be dispensed with.

Mr. ROBINSON of Indiana. I hope the gentleman will not consume all the time of the House.

The CHAIRMAN. The gentleman from Colorado asks unanimous consent that the reading of the substitute at this time be dispensed with. Is there objection?

Mr. ROBINSON of Indiana. I object.

The CHAIRMAN. Objection is made.

Mr. TONGUE. Mr. Chairman, I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. TONGUE. Should not the vote be taken first on the committee amendment changing the number of the section?

The CHAIRMAN. That is merely to change the number of the section, and under the rule of the House the Clerk is authorized to do that without the vote of the committee. The Clerk will read.

The Clerk again read the substitute offered by Mr. ROBINSON of Indiana.

Mr. ROBINSON of Indiana. Mr. Chairman, I only desire to say that this is a bill—

The CHAIRMAN. Debate is not in order.

Mr. ROBINSON of Indiana. I beg the Chair's pardon.

The CHAIRMAN. The question is on the substitute offered by the gentleman from Indiana.

Mr. RAY of New York. Mr. Chairman, I rise to a parliamentary inquiry. By what process of reasoning or by what rule is debate closed on a substitute?

The CHAIRMAN. In the opinion of the Chair debate is not closed on the substitute.

Mr. SHAFROTH. Mr. Chairman, I move that debate on the substitute close in five minutes.

Mr. RAY of New York. The gentleman from Indiana started in to speak on the substitute offered by him, and was informed by the Chair, as I understood the Chair, that debate was not in order. I may be wrong, but I understood the Chair to so state.

The CHAIRMAN. The Chair was under the impression that this was offered as an amendment to the last section of the bill, and therefore that debate was not in order. It was offered as a substitute, and debate is in order. The motion to close debate can not be entertained until debate has begun. The Chair recognizes the gentleman from Indiana [Mr. ROBINSON].

Mr. TONGUE. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. TONGUE. I raise the point of order on the proposed substitute that it is not germane.

Mr. HEMENWAY. I call attention to the fact that the gentleman from Indiana [Mr. ROBINSON] was debating the substitute before the point of order was made, and was taken off the floor by the Chair.

The CHAIRMAN. The Chair holds that the substitute is in order.

Mr. ROBINSON of Indiana. Mr. Chairman, this proposition, with the change made necessary by the fact that Utah has since been admitted as a State, is the fruit of the labors of a special committee appointed in the Fifty-second Congress to investigate the subject, and it proposes what I consider a foundation for a rational and reasonable system of irrigation if the States and Territories avail themselves of the grant. It was elaborately reported upon by the gentleman from Texas [Mr. LANHAM] and his committee, and it presents in a concrete and careful form the proposition to cede to the Territories and States the lands within their borders, to permit them, with the aid of private irrigation enterprise thereby encouraged, to irrigate these lands and these sections and States asking for legislation.

Mr. SHAFROTH. I move that debate close in five minutes.

Mr. MONDELL. I move that debate close on this section and all amendments at once.

Mr. SHAFROTH. I accept that.

The CHAIRMAN. The gentleman from Wyoming moves that debate on this section and amendments be now closed.

The motion was agreed to.

Mr. MONDELL. I move that the committee do now rise and report the bill—

The CHAIRMAN. The question must first be taken on the substitute.

Mr. MONDELL. Certainly.

Mr. RAY of New York. Mr. Chairman, a point of order. The gentleman from Wyoming has just moved that the committee do now rise.

Mr. MONDELL. I withdraw the motion.



Mr. RAY of New York. I renew it.

The CHAIRMAN. The Chair will state that the simple motion that the committee rise would be in order; but the gentleman from Wyoming made a motion that the committee rise and report the bill with the sundry amendments, favorably to the House, and that is not in order pending a vote upon the substitute. The question is on the substitute offered by the gentleman from Indiana [Mr. ROBINSON].

The question being taken, the substitute was rejected.

Mr. MONDELL. Mr. Chairman, I move that the committee do now rise and report the bill, with amendments, to the House with the recommendation that the bill as amended do pass.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. TAWNEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (S. 3057) appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands, and had directed him to report the same back to the House with sundry amendments, and with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. MONDELL. I move the previous question on the bill and amendments.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded upon any amendment? If not, they will be submitted by the Chair in gross.

The amendments were agreed to.

The SPEAKER. The question now is on the third reading of the Senate bill.

The bill was ordered to a third reading, and was accordingly read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. RAY of New York. Upon that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 146, nays 55, answered "present" 18, not voting 132, as follows:

## YEAS—146.

Adams, Pa.	De Armond, Mo.	Littauer, N.Y.	Selby, Ill.
Allen, Ky.	Dinsmore, Ark.	Livingstone, Pa.	Shackelford, Missouri
Allen, Me.	Dougherty, Mo.	Lloyd, Mo.	Shafroth, Colorado
Ball, Tex.	Eddy, Minn.	Long, Kans.	Shallenberger, Neb.
Bartholdt, Mo.	Edwards, Mont.	McCulloch, Ark.	Sims, Tenn.
Bell, Cal.	Esch, Wisc.	McLachlan, Calif.	Skiles, O.
Bellamy, N.C.	Finley, S.C.	McRae, Ark.	Slayden, Texas
Bishop, Mich.	Fletcher, Minn.	Mann, Ill.	Smith, Ill.
Boutell, Ill.	Fox, Miss.	Martin, S. Dakota	Smith, Iowa
Bowersock, Kans.	Gaines, W. Va.	Mercer, Neb.	Smith, Ky.
Bowie, Ala.	Gibson, Tenn.	Metcalf, Calif.	Sperry, Conn.
Brantley, Va.	Gilbert, Ky.	Mickey, Ill.	Spight, Miss.
Breazeale, Pa.	Glenn, Idaho	Minor, Wisc.	Stark, Neb.
Bristow, N.Y.	Graff, Ill.	Monroe, Wisc.	Stephens, Tex.
Brown, Wisc.	Griffith, Ind.	Moody, Oreg.	Stevens, Minn.
Brownlow, Conn.	Griggs, Va.	Morris, Minn.	Sutherland, Utah
Brundage, Ark.	Henry, Conn.	Moss, Kentucky	Tawney, Minn.
Burgess, Tex.	Henry, Miss.	Needham, Calif.	Taylor, Ohio
Burke, S. Dak.	Hitt, Ill.	Neville, Neb.	Taylor, Ala.
Burkett, Neb.	Holliday, Ind.	Newlands, Nevada	Thayer, Mass.
Burleigh, Maine	Hooker, Miss.	Norton, O.	Thomas, Iowa
Burleson, Tex.	Hopkins, Ill.	Padgett, Conn.	Thomas, N. C.
Burnett, Ala.	Howard, Va.	Pierce, Tenn.	Thompson, Ala.
Calderhead, Kans.	Hughes, W. Va.	Randall, Tex.	Tirrell, Mass.
Candler, Miss.	Hull, Iowa	Ransdell, La.	Tongue, Oregon
Clark, Mo.	Irwin, Ky.	Reeder, Kans.	Underwood, Ala.
Clayton, Ala.	Jack, Pa.	Reeves, Ill.	Vandiver, Missouri
Cochran, Mo.	Jackson, Kans.	Reid, Ark.	Warner, Miss.
Conner, Iowa	Jett, Ill.	Richardson, Ala.	Wheeler, Kentucky
Coombs, Calif.	Johnson, S.C.	Richardson, Tenn.	Wiley, Ala.
Corney, Mo.	Jones, Wash.	Robb, Missouri	Williams, Ill.
Cowherd, Mo.	Joy, Mo.	Roberts, Mass.	Williams, Miss.
Cromer, Ind.	Kahn, Calif.	Robinson, Nebr.	Woods, Calif.
Curtis, Kans.	Kehoe, Ky.	Rucker, Missouri	Young, Pa.
Cushman, Wash.	Kern, Ill.	Rumple, Iowa	Zenor, Indiana
Dahle, Wisconsin	Kitchin, Wm. W.	Ryan, N.Y.	
Davis, Fla.	Lawrence, Maine	Scott, Kansas	

## NAYS—55.

Barney, Wisc.	Deemer, Pa.	Jones, Va.	Ray, N.Y.
Barlett, La.	Draper, N.Y.	Knapp, N.Y.	Rhea, Va.
Bates, Pa.	Driscoll, N.Y.	Kyle, Ohio	Rixey, Va.
Bingham, Pa.	Fleming, Georgia	Landis, Indiana	Robinson, Ind.
Brick, La.	Flood, Va.	Lewis, Pa.	Showalter, Pa.
Bromwell, O.	Gardner, Mich.	Maddox, Georgia	Sibley, Pa.
Burk, Pa.	Gardner, N. J.	Mahon, Pa.	Snook, Ohio
Butler, Pa.	Gillet, N. Y.	Moon, Tenn.	Southard, Ohio
Cannon, Ill.	Gillett, Mass.	Olmsted, Pa.	Southwick, N.Y.
Capron, N.Y.	Haskins, Vermont	Palmer, Pa.	Steele, Indiana
Cassell, Pa.	Hay, Va.	Parker, N.Y.	Stewart, N.Y.
Cassingham, Ind.	Hemenway, Ind.	Payne, N.Y.	Van Voorhis, Ohio
Crumpacker, Ind.	Hopburn, Iowa	Perkins, N.Y.	Warnock, Ohio
Dalzell, Pa.	Howell, N.Y.	Pou, N.C.	

## ANSWERED "PRESENT"—18.

Adamson, Pa.	Kitchin, Claude	Meyer, La.	Tate, Georgia
Cousins, Iowa	Kleberg, Texas	Miers, Ind.	Wooten, Texas
Currier, N.Y.	Lanham, Texas	Overstreet, Ind.	Wright, Pennsylvania
Dovener, W. Va.	Lewis, Ga.	Smith, Wm. Alden	Trick, Mich.
Haugen, Iowa	McCleary, Minn.	Snodgrass, Tenn.	

## NOT VOTING—132.

Acheson, Pa.	Babcock, Wisc.	Beidler, Ohio	Blackburn, N.C.
Alexander, N.Y.	Ball, Del.	Belmont, N.Y.	Blackburn, Ind.
Aplin, Mich.	Bankhead, Ala.	Benton, Missouri	Boreing, Ky.

Broussard, La.	Gaines, Tenn.	Lindsay, N.Y.	Robertson, La.
Bull, R. I.	Gill, Ohio	Little, Ark.	Ruppert, N.Y.
Burton, Ohio	Goldfogle, N.Y.	Littlefield, Maine	Russell, Ind.
Butler, Mo.	Gooch, Kentucky	Loud, Calif.	Scarborough, D.C.
Caldwell, Ill.	Gordon, Ohio	Loudenslager, N.J.	Schirm, Mich.
Connell, Pa.	Graham, Pa.	Loving, Mass.	Shattuc, Ohio
Conry, Mass.	Greene, Mass.	McAndrews, Ill.	Shelden, Mich.
Cooper, Tex.	Green, Pa.	McCall, Mass.	Sheppard, Texas
Cooper, Wisc.	Grosvenor, Ohio	McClellan, N.Y.	Sherman, N.Y.
Corliss, Mich.	Grow, Pa.	McDermott, N.Y.	Small, N.C.
Creamer, N.Y.	Hall, Pa.	McLain, Miss.	Smith, H. C.
Crowley, Ill.	Hamilton, Mich.	Mahoney, Ill.	Smith, S. W.
Darragh, Mich.	Hanbury, N.Y.	Marshall, N. D.	Sparkman, N. D.
Davey, La.	Heatwole, Minn.	Maynard, Va.	Stewart, N. J.
Davidson, Wisc.	Hedge, Iowa	Miller, Kans.	Storm, N.Y.
Dayton, N.Y.	Hedry, Tex.	Moody, N. C.	Sulloway, N. H.
De Graffenreid, Tex.	Hildebrandt, Ohio	Morgan, Ohio	Sulzer, N.Y.
Dick, Ohio	Hill, Conn.	Mordell, Pa.	Swanson, Va.
Douglas, N.Y.	Jackson, Md.	Mordell, Pa.	Talbert, Va.
Ellis, S.C.	Jenkins, Wisc.	Mutchler, Pa.	Tompkins, N.Y.
Emerson, N.Y.	Ketcham, N.Y.	Naphe, Mass.	Tompkins, Ohio
Evans, Pa.	Kluttz, N.C.	Nevin, Ohio	Trimble, Kentucky
Feely, Ill.	Knox, Mass.	Otjen, Wisc.	Vreeland, N.Y.
Fitzgerald, N.Y.	Lacey, Iowa	Patterson, Pa.	Wachter, Ind.
Foerderer, Pa.	Lamb, Pa.	Patterson, Tenn.	Wadsworth, N.Y.
Fordney, Mich.	Lassiter, Va.	Pearre, Md.	Watson, Pa.
Foss, Ill.	Latimer, S.C.	Powers, Mo.	Weeks, Mich.
Foster, Ill.	Lessler, Pa.	Powers, Mass.	White, Kentucky
Foster, Vt.	Lester, Pa.	Prince, Ill.	Wilson, N.Y.
Fowler, N.Y.	Lever, N.C.	Pugsley, N.Y.	

So the bill was passed.

The following pairs were announced:

Until further notice:

Mr. GRAHAM with Mr. GOLDFOGLE.  
 Mr. LOUDENSLAGER with Mr. DE GRAFFENREID.  
 Mr. FOSTER of Vermont with Mr. POUL.  
 Mr. CONNELL with Mr. FOSTER of Illinois.  
 Mr. HILL with Mr. LEWIS of Georgia.  
 Mr. MARSHALL with Mr. WILSON.  
 Mr. GILL with Mr. SULZER.  
 Mr. DAYTON with Mr. DAVEY of Louisiana.  
 Mr. FOSS with Mr. MEYER of Louisiana.  
 Mr. HILDEBRANT with Mr. MAYNARD.  
 Mr. DAVIDSON with Mr. SPARKMAN.  
 Mr. KETCHAM with Mr. SNODGRASS.  
 Mr. POWERS of Maine with Mr. GAINES of Tennessee.  
 Mr. MCALL with Mr. ROBERTSON of Louisiana.  
 Mr. FORDNEY with Mr. BURGESS.

For this session:

Mr. DEEMER with Mr. MUTCHLER.  
 Mr. MORRELL with Mr. GREEN of Pennsylvania.  
 Mr. WANGER with Mr. ADAMSON.  
 Mr. RUSSELL with Mr. MCCLELLAN.  
 Mr. BOREING with Mr. TRIMBLE.  
 Mr. SHERMAN with Mr. RUPPERT.  
 Mr. HEATWOLE with Mr. TATE.  
 Mr. WRIGHT with Mr. HALL.  
 Mr. BULL with Mr. CROWLEY.

For one week:

Mr. STEWART of New Jersey with Mr. KLUTTZ.  
 Mr. WEEKS with Mr. SHEPPARD.  
 Mr. STORM with Mr. PUGSLEY.

For this day:

Mr. HAMILTON with Mr. MAHONEY.  
 Mr. SULLOWAY with Mr. LESTER.  
 Mr. BABCOCK with Mr. MCANDREWS.  
 Mr. TOMPKINS of New York with Mr. WHITE.  
 Mr. ACHESON with Mr. BANKHEAD.  
 Mr. BLACKBURN with Mr. BUTLER of Missouri.  
 Mr. DARRAGH with Mr. COOPER of Texas.  
 Mr. DICK with Mr. CREAMER.  
 Mr. FOWLER with Mr. FEELY.  
 Mr. EVANS with Mr. HENRY of Texas.  
 Mr. PRINCE with Mr. BROUSSARD.  
 Mr. FOERDERER with Mr. ELLIOTT.  
 Mr. HEDGE with Mr. LAMB.  
 Mr. JENKINS with Mr. MCDERMOTT.  
 Mr. KNOX with Mr. LASSITER.  
 Mr. PATTERSON of Pennsylvania with Mr. LATIMER.  
 Mr. POWERS of Massachusetts with Mr. LEVER.  
 Mr. SCHIRM with Mr. McLAIN.  
 Mr. SHELLEN with Mr. SMALL.  
 Mr. MCCLEARY with Mr. LINDSAY.  
 Mr. LOUD with Mr. LANHAM.  
 Mr. BLAKENY with Mr. GOOCH.  
 Mr. BALL of Delaware with Mr. WOOTEN.  
 Mr. GILLET of Massachusetts with Mr. NAPHEN.

On this question:

Mr. LESSLER with Mr. KLEBERG.  
 Mr. NEVINS with Mr. SHATTUC.  
 Mr. HENRY C. SMITH with Mr. PEARRE.  
 Mr. DOVENER with Mr. BEIDLER.  
 Mr. MIERS of Indiana with Mr. WATSON.  
 Mr. LACEY with Mr. LITTLE.

Mr. MILLER with Mr. CALDWELL.  
 Mr. ALEXANDER with Mr. GORDON.  
 Mr. LITTLEFIELD with Mr. VREELAND.  
 Mr. CORLISS with Mr. OVERSTREET.  
 Mr. GREENE of Massachusetts with Mr. CURRIER.  
 Mr. DOUGLAS with Mr. TALBERT.  
 Mr. MUDD with Mr. SWANSON.  
 Mr. MOODY of North Carolina with Mr. WADSWORTH.  
 Mr. WM. ALDEN SMITH with Mr. GROSVENOR.  
 Mr. WACHTER with Mr. EMERSON.  
 Mr. COOPER of Wisconsin with Mr. PATTERSON of Tennessee.  
 On this vote:  
 Mr. BURTON with Mr. CLAUDE KITCHIN.  
 Mr. HAUGEN with Mr. BELMONT.  
 Mr. SAMUEL W. SMITH with Mr. SCARBOROUGH.  
 Mr. COUSINS with Mr. CONRY.  
 Mr. OTJEN with Mr. BENTON.  
 Mr. HANBURY with Mr. FITZGERALD.  
 The result of the vote was then announced, as above recorded.  
 On motion of Mr. MONDELL, a motion to reconsider the vote whereby the bill was passed was laid on the table.

## CUBAN RECIPROCITY.

The SPEAKER laid before the House the following message from the President of the United States; which was ordered printed, and referred to the Committee on Ways and Means:

To the Senate and House of Representatives:

I deem it important before the adjournment of the present session of Congress to call attention to the following expressions in the message which, in the discharge of the duty imposed upon me by the Constitution, I sent to Congress on the first Tuesday of December last:

"Elsewhere I have discussed the question of reciprocity. In the case of Cuba, however, there are weighty reasons of morality and of national interest why the policy should be held to have a peculiar application, and I most earnestly ask your attention to the wisdom, indeed to the vital need, of providing for a substantial reduction in the tariff duties on Cuban imports into the United States. Cuba has in her constitution affirmed what we desired, that she should stand in international matters in closer and more friendly relations with us than with any other power, and we are bound by every consideration of honor and expediency to pass commercial measures in the interest of her material well-being."

This recommendation was merely giving practical effect to President McKinley's words, when, in his messages of December 5, 1898, and December 5, 1899, he wrote:

"It is important that our relations with this people (of Cuba) shall be of the most friendly character and our commercial relations close and reciprocal. \* \* \* We have accepted a trust, the fulfillment of which calls for the sternest integrity of purpose and the exercise of the highest wisdom. The new Cuba, yet to arise from the ashes of the past, must needs be bound to us by ties of singular intimacy and strength if its enduring welfare is to be assured. \* \* \* The greatest blessing which can come to Cuba is the restoration of her agricultural and industrial prosperity."

Yesterday, June 12, I received, by cable from the American minister in Cuba, a most earnest appeal from President Palma for "legislative relief before it is too late and [his] country financially ruined."

The granting of reciprocity with Cuba is a proposition which stands entirely alone. The reasons for it far outweigh those for granting reciprocity with any other nation, and are entirely consistent with preserving intact the protective system under which this country has thriven so marvelously. The present tariff law was designed to promote the adoption of such a reciprocity treaty, and expressly provided for a reduction not to exceed 20 per cent upon goods coming from a particular country, leaving the tariff rates on the same articles unchanged as regards all other countries. Objection has been made to the granting of the reduction on the ground that the substantial benefit would not go to the agricultural producer of sugar, but would inure to the American sugar refiners. In my judgment provision can and should be made which will guarantee us against this possibility, without having recourse to a measure of doubtful policy, such as a bounty in the form of a rebate.

The question as to which, if any, of the different schedules of the tariff ought most properly to be revised does not enter into this matter in any way or shape. We are concerned with getting a friendly reciprocal arrangement with Cuba. This arrangement applies to all the articles that Cuba grows or produces. It is not in our power to determine what these articles shall be; and any discussion of the tariff as it affects special schedules, or countries other than Cuba, is wholly aside from the subject-matter to which I call your attention.

Some of our citizens oppose the lowering of the tariff on Cuban products, just as three years ago they opposed the admission of the Hawaiian Islands, lest free trade with them might ruin certain of our interests here. In the actual event their fears proved baseless as regards Hawaii, and their apprehensions as to the damage to any industry of our own because of the proposed measure of reciprocity with Cuba seem to me equally baseless. In my judgment no American industry will be hurt, and many American industries will be benefited by the proposed action. It is to our advantage as a nation that the growing Cuban market should be controlled by American producers.

The events following the war with Spain and the prospective building of the isthmian canal render it certain that we must take in the future a far greater interest than hitherto in what happens throughout the West Indies, Central America, and the adjacent coasts and waters. We expect Cuba to treat us on an exceptional footing politically, and we should put her in the same exceptional position economically. The proposed action is in line with the course we have pursued as regards all the islands with which we have been brought into relations of varying intimacy by the Spanish war. Porto Rico and Hawaii have been included within our tariff lines, to their great benefit as well as ours, and without any of the feared detriment to our own industries. The Philippines, which stand in a different relation, have been given substantial tariff concessions.

Cuba is an independent Republic, but a Republic which has assumed certain special obligations as regards her international position in compliance with our request. I ask for her certain special economic concessions in return, these economic concessions to benefit us as well as her. There are few brighter pages in American history than the page which tells of our dealings with Cuba during the past four years. On her behalf we waged a war, of which the mainspring was generous indignation against oppression, and we have kept faith absolutely. It is earnestly to be hoped that we will complete in the same spirit the record so well begun, and show in our dealings with Cuba that steady continuity of policy which it is essential for our na-

tion to establish in foreign affairs if we desire to play well our part as a world power.

We are a wealthy and powerful nation; Cuba is a young Republic, still weak, who owes to us her birth, whose whole future, whose very life, must depend on our attitude toward her. I ask that we help her as she struggles upward along the painful and difficult road of self-governing independence. I ask this aid for her because she is weak, because she needs it, because we have already aided her. I ask that open-handed help, of a kind which a self-respecting people can accept, be given to Cuba, for the very reason that we have given her such help in the past.

Our soldiers fought to give her freedom; and for three years our representatives, civil and military, have toiled unceasingly, facing disease of a peculiarly sinister and fatal type with patient and uncomplaining fortitude, to teach her how to use aright her new freedom. Never in history has any alien country been thus administered with such high integrity of purpose, such wise judgment, and such single-minded devotion to the country's interests. Now, I ask that the Cubans be given all possible chance to use to the best advantage the freedom of which Americans have such right to be proud and for which so many American lives have been sacrificed.

THEODORE ROOSEVELT.

WHITE HOUSE, June 13, 1902.

## LOUISIANA EXPOSITION.

The SPEAKER laid before the House the following message from the President of the United States; which was ordered printed, and referred to the Committee on Industrial Arts and Expositions:

To the Senate and House of Representatives:

I transmit herewith a report from the Secretary of State covering a statement showing the receipts and disbursements of the Louisiana Purchase Exposition Company for the month of April, 1902, furnished by the Louisiana Purchase Exposition Commission, in pursuance of section 11 of the act to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana territory, etc., approved March 3, 1901.

THEODORE ROOSEVELT.

WHITE HOUSE, June 13, 1902.

The PRESIDENT:

Referring to Senate Document No. 71, Fifty-seventh Congress, first session, the undersigned, the Secretary of State, has the honor to lay before the President, with a view to its transmission to the Congress, copy of a communication from the president of the Louisiana Purchase Exposition Commission, furnishing, in pursuance of section 11 of an act to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana Territory, etc., approved March 3, 1901, a statement showing the receipts and disbursements of the Louisiana Purchase Exposition Company for the month of April, 1902.

Respectfully submitted.

JOHN HAY.

DEPARTMENT OF STATE,

Washington, June 11, 1902.

LOUISIANA PURCHASE EXPOSITION COMMISSION, ST. LOUIS,

Helena, Mont., May 19, 1902.

SIR: In conformity with the requirements of section 11 of an act of Congress entitled "An act to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana Territory by the United States by holding an international exhibition of arts, industries, manufactures, and the products of the soil, mine, forest, and sea in the city of St. Louis, in the State of Missouri," we have the honor to report for and in behalf of the Commission the receipts and disbursements of the exposition for the month of April, 1902, as shown by the annexed statement of the treasurer of the exposition company, submitted by Walter B. Stevens, secretary. The balance of \$1,104,035.73 is ample to provide for the immediate requirements of the company.

Hon. David B. Francis, president of the exposition company, has informed the Commission that the city of St. Louis has advertised for bids for the sale of bonds of the city aggregating \$5,000,000, for the purpose of securing that sum of money for delivery to the exposition company as contemplated by the act of Congress. For your information we herewith inclose copy of the advertisement. We are advised that the bonds will meet a ready sale at the rate of interest prescribed, and it is therefore reasonable to conclude that the proceeds of the sale of bonds will be placed in the treasury of the company in the near future.

Yours, respectfully,

THOS. H. CARTER, President.

Attest:

JOSEPH FLORY, Secretary.

The PRESIDENT.

Disbursements of the Louisiana Purchase Exposition Company for the month of April, 1902.

Grounds and buildings	\$57,807.45
Exhibits department	13,367.75
Press and publicity department	4,223.07
Ceremonies and entertainment of guests	146.31
Foreign exploitation	12,021.41
Domestic exploitation	3,142.28
Postage	1,160.00
General office expenses	4,213.14
Rent	510.00
Furniture and fixtures	701.78
Secretary's office	1,394.46
Police department	370.51
Legal department	324.85
Medical department	323.50
Supply department	341.80
Concessions department	116.16
Treasurer's office	325.22
Insurance	138.97

Total 100,023.66

WALTER B. STEVENS, Secretary.

Statement of receipts and disbursements of the Louisiana Purchase Exposition Company, as shown by the report of the treasurer, for the month of April, 1902.

Balance on hand April 1, 1902, as per statement made to National Commission	\$1,123,943.30
Receipts on account of subscriptions to capital stock during month of April	80,716.00
Receipts and balance	1,204,659.30
Amount paid out during month of April	100,023.66
Balance on hand May 1, 1902	1,104,635.73



## TOTAL RECEIPTS AND DISBURSEMENTS.

Total receipts to May 1, 1902	\$1,806,616.49
Total disbursements to May 1, 1902	702,580.76
Balance	1,104,035.73

WALTER B. STEVENS, *Secretary*.

## SENATE BILL REFERRED.

Under clause 2 Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. 6110. An act granting an increase of pension to Charles A. Cooke—to the Committee on Invalid Pensions.

## ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title; when the Speaker signed the same:

H. R. 9544. An act granting an increase of pension to George W. Barry.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 2921. An act to place Henry Biederbick, Julius R. Frederick, Francis Long, and Maurice Connell, on the retired list of enlisted men of the Army.

## ENROLLED BILLS PRESENTED TO THE PRESIDENT OF THE UNITED STATES.

Mr. WACHTER also, from the Committee on Enrolled Bills, reported that they had presented this day to the President of the United States for his approval bills of the following titles:

H. R. 11591. An act for the relief of Stanley & Patterson, and to authorize a pay director of the United States Navy to issue a duplicate check;

H. R. 11657. An act allowing the construction of a dam across the St. Lawrence River;

H. R. 8129. An act to amend sections 4076, 4078, and 4075 of the Revised Statutes;

H. R. 3309. An act to remove charge of desertion against Ephraim H. Gallion; and

H. R. 5094. An act for the relief of the persons who sustained damage by the explosion of an ammunition chest of Battery F, Second United States Artillery, July 16, 1894.

## TERRITORIAL INDEBTEDNESS.

The SPEAKER laid before the House the bill (H. R. 9334) to amend an act to prohibit the passage of special or local laws in the Territories, to limit the Territorial indebtedness, etc., with Senate amendments.

The Senate amendments were read.

Mr. FLYNN. Mr. Speaker, I move that the House concur in the Senate amendments.

The motion was agreed to.

## PERSONAL REQUESTS.

By unanimous consent, leave was granted Mr. SMITH of Kentucky to withdraw from the files of the House, without leaving copies, papers in the case of Stephen Camplin, Fifty-sixth Congress, no adverse report having been made thereon.

By unanimous consent, leave of absence was granted to Mr. COOMBS, for ten days.

And then, on motion of Mr. PAYNE (at 5 o'clock and 2 minutes), the House adjourned until to-morrow at 12 o'clock noon.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. WANGER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 12706) to authorize the West Elizabeth and Dravosburg Bridge Company to construct and maintain a bridge across Monongahela River, in the State of Pennsylvania, reported the same without amendment, accompanied by a report (No. 2480); which said bill and report were referred to the House Calendar.

Mr. FLETCHER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 15004) to authorize the Minneapolis, Superior, St. Paul and Winnipeg Railway Company, of Minnesota, to build and maintain a railway bridge across the Mississippi River, reported the same without amendment, accompanied by a report (No. 2481); which said bill and report were referred to the House Calendar.

Mr. MANN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 15003) to authorize the construction of a bridge by the New York, Chicago and St. Louis Railroad Company and the Chicago and Erie Railroad Company across the Calumet River at or near the

city of Hammond, Ind., at a point about 1,200 feet east of the Indiana and Illinois State line and about 100 feet east of the location of the present bridge of the New York, Chicago and St. Louis Railroad Company across said river; also to authorize the construction of a bridge by the Chicago and State Line Railroad Company across said river at the point where said company's railroad crosses said river in Hyde Park Township, Chicago, Ill., being at the location of the present bridge of said company across said river in said township, reported the same without amendment, accompanied by a report (No. 2482); which said bill and report were referred to the House Calendar.

Mr. ADAMSON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 14802) for the purchase of real estate, for revenue and customs purposes, at Wilmington, N. C., reported the same with amendment, accompanied by a report (No. 2485); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SHACKLEFORD, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 5906) declaring the Osage River to be not a navigable stream above the point where the line between the counties of Benton and St. Clair crosses said river, reported the same without amendment, accompanied by a report (No. 2486); which said bill and report were referred to the House Calendar.

Mr. HAMILTON, from the Committee on the Territories, to which was referred the bill of the House (H. R. 12003) to enable the county of Luna, in the Territory of New Mexico, to create certain indebtedness, and for other purposes, reported the same without amendment, accompanied by a report (No. 2487); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. TAWNEY, from the Committee on Ways and Means, to which was referred the bill of the House (H. R. 13674) amendatory of sections 3339 and 3341 of the Revised Statutes of the United States relative to internal-revenue tax on fermented liquors, reported the same with amendments, accompanied by a report (No. 2488); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WARNER, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 14923) for the appointment of five additional constables in the Indian Territory, reported the same without amendment, accompanied by a report (No. 2489); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

## REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. CAPRON, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 282) providing for the appointment of James W. Long, late a captain, United States Army, a captain of infantry, and for placing his name on the retired list, reported the same without amendment, accompanied by a report (No. 2483); which said bill and report were referred to the Private Calendar.

Mr. WILLIAM W. KITCHIN, from the Committee on Naval Affairs, to which was referred the bill of the Senate (S. 1634) to remove the charge of desertion against Thomas Cordingly, reported the same with amendment, accompanied by a report (No. 2484); which said bill and report were referred to the Private Calendar.

Mr. MONDELL, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 9879) for the relief of John Richards, reported the same with amendment, accompanied by a report (No. 2490); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 9419) for the relief of Joseph Fields, reported the same with amendment, accompanied by a report (No. 2491); which said bill and report were referred to the Private Calendar.

## PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred, as follows:

By Mr. CASSEL: A bill (H. R. 15085) making it a misdemeanor for persons to unlawfully use or wear the insignia or button of the Spanish-American War Veterans, the insignia or rosette of the Military and Naval Order of the Spanish-American War, or the official decorations of Spanish-American war societies—to the Committee on Military Affairs.

By Mr. LACEY: A bill (H. R. 15086) to set apart certain lands in the State of South Dakota as a public park, to be known as the Wind Cave National Park—to the Committee on the Public Lands.

Also, a bill (H. R. 15087) to amend section 2461 of the Revised Statutes of the United States—to the Committee on the Public Lands.

By Mr. GREENE of Massachusetts: A bill (H. R. 15089) to amend section 4452 of the Revised Statutes of the United States relating to appeals from decisions of supervising inspectors of steamboats—to the Committee on the Merchant Marine and Fisheries.

By Mr. FOSS: A bill (H. R. 15090) to establish a judge-advocate's corps in the United States Navy—to the Committee on Naval Affairs.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. HENRY C. SMITH: A bill (H. R. 15088) providing for the payment of \$187 to Hugh A. Ernst for services rendered over-time and use of typewriter in the Bureau of Immigration, in the Treasury Department—to the Committee on Claims.

By Mr. BATES: A bill (H. R. 15091) granting a pension to Emma A. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15092) granting a pension to George Henderson—to the Committee on Invalid Pensions.

By Mr. BELL: A bill (H. R. 15093) granting an increase of pension to Henry Pierpoint—to the Committee on Invalid Pensions.

By Mr. BRUNDIDGE: A bill (H. R. 15094) granting a pension to Susan T. Bunch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15095) for the relief of Archie B. Forbess—to the Committee on War Claims.

By Mr. BURK of Pennsylvania: A bill (H. R. 15096) for the relief of Albert C. Engard, chief engineer, United States Navy, retired—to the Committee on Claims.

By Mr. COOPER of Texas: A bill (H. R. 15097) for the relief of the legal representatives of T. L. Walker, deceased—to the Committee on War Claims.

By Mr. HAMILTON: A bill (H. R. 15098) granting a pension to Mary E. Horton—to the Committee on Invalid Pensions.

By Mr. HOLLIDAY: A bill (H. R. 15099) granting an increase of pension to William H. Piker—to the Committee on Invalid Pensions.

By Mr. WILLIAM W. KITCHIN: A bill (H. R. 15100) granting an increase of pension to James B. Taylor—to the Committee on Invalid Pensions.

By Mr. MAYNARD: A bill (H. R. 15101) for the relief of the First Baptist Church, Suffolk, Va.—to the Committee on War Claims.

By Mr. MIERS of Indiana: A bill (H. R. 15102) granting a pension to Ellis Hickam—to the Committee on Invalid Pensions.

By Mr. SELBY: A bill (H. R. 15103) granting an increase of pension to Simon Hausmeier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 15104) granting a pension to Martha J. Kellogg—to the Committee on Invalid Pensions.

By Mr. THOMPSON: A bill (H. R. 15105) to refer the claim against the United States of Elizabeth Haden to the Court of Claims—to the Committee on War Claims.

Also, a bill (H. R. 15106) granting an increase of pension to Margaret F. Harris—to the Committee on Pensions.

By Mr. ZENOR: A bill (H. R. 15107) granting a pension to Harriet S. Packard—to the Committee on Invalid Pensions.

By Mr. JOY: A resolution (H. Res. 303) to pay John Douglass for services rendered as laborer in the Doorkeeper's department—to the Committee on Accounts.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMS: Memorial of the auditor-general of the Commonwealth of Pennsylvania explanatory of House bill 14763—to the Committee on War Claims.

By Mr. BELL: Petition of Colorado Forestry Association, for increase of appropriation for timber ranges—to the Committee on the Public Lands.

Also, resolutions of Wholesale Liquor Dealers' Association of Colorado, in favor of House bills 178 and 179, for the repeal of the tax on distilled spirits—to the Committee on Ways and Means.

By Mr. BURKETT: Protest of citizens of Pittsburgh, Pa., against the ship-subsidy bill—to the Committee on Interstate and Foreign Commerce.

By Mr. BURLEIGH: Resolutions of the Portland Yacht Club, of Portland, Me., in favor of a law to pension men of Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. CONNELL: Protest of the Pure Oil Company, of Pittsburgh, Pa., against the passage of the ship-subsidy bill—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of a meeting of Jewish people in Philadelphia, Pa., favoring the Goldfogle bill, relating to the discrimination against the Jews by the Russian Government—to the Committee on Foreign Affairs.

By Mr. COUSINS: Resolutions of the Twenty-eighth Annual Encampment, Grand Army of the Republic, Department of Iowa, approving the conduct of the United States in the war with Spain, the insurrection in the Philippines, and in China, and supporting and congratulating our soldiers in the Philippines—to the Committee on Insular Affairs.

By Mr. CROMER: Resolution of McKinley Lodge, No. 21, Elwood, Ind., Amalgamated Association of Iron, Steel, and Tin Workers, urging Congress to appropriate money during this session for the destitute widows and minor children of the persons killed in the Coal Creek disaster of the State of Tennessee—to the Committee on Appropriations.

By Mr. DALZELL: Protest of the Pure Oil Company, of Pittsburgh, Pa., against the passage of the ship-subsidy bill—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Journeymen Barbers' Union of Hoboken, N. J., for increase of pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. GIBSON: Petition of numerous citizens of Tennessee, in favor of House bills 178 and 179, for the repeal of the tax on distilled spirits—to the Committee on Ways and Means.

By Mr. GREENE of Massachusetts: Resolutions of the board of aldermen of Boston and the city councils of Malden and Lowell, Mass., in favor of the proposed increase of pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. GREEN of Pennsylvania: Resolutions of Central Trades and Labor Council of Allentown, Pa., indorsing House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. HOWELL: Petition of Journeymen Barbers' Union of Hoboken, N. J., indorsing House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. KERN: Resolutions of Mine Workers' Union No. 304, Belleville, Ill., favoring irrigation of arid lands—to the Committee on Irrigation of Arid Lands.

By Mr. LACEY: Papers relating to setting aside certain lands in South Dakota as a public park, to be known as Wind Cave National Park—to the Committee on the Public Lands.

By Mr. MIERS of Indiana: Paper to accompany House bill granting a pension to Ellis Hickam—to the Committee on Invalid Pensions.

By Mr. MOON: Paper to accompany House bill No. 14933, granting an increase of pension to Lewis Gross—to the Committee on Invalid Pensions.

By Mr. NEVILLE: Papers to accompany House bill 14775, granting a pension to Conrad G. Boehme—to the Committee on Invalid Pensions.

By Mr. YOUNG: Memorial of the auditor-general of the Commonwealth of Pennsylvania explanatory of House bill 14763—to the Committee on War Claims.

#### SENATE.

SATURDAY, June 14, 1902.

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington. The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. NELSON, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

GUY N. STOCKSLAGER.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 12th instant, certain information relative to the employment of Lient. D. H. Jarvis in the Revenue-Cutter Service at Nome, Alaska, in the summer and fall of 1900, and the employment by him of Guy N. Stockslager, etc.; which, on motion of Mr. COCKRELL, was referred to the Committee on Appropriations, and ordered to be printed.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. C. R. McKenney, its enrolling clerk, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 9334) to prohibit the passage of special or local laws in the Territories, to limit Territorial indebtedness, etc.

The message also announced that the House had passed with amendments the bill (S. 3057) appropriating the receipts from